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COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1992

Addendum

EL SALVADOR*

[21 March 1994]

* The present document contains the additional information requested by the Committee on the Rights of the Child at its fourth session during the consideration of the initial report of El Salvador (CRC/C/3/Add.9) on 27 and 28 September 1993 (see CRC/C/SR.85-87); see also the report of the Committee on the Rights of the Child on its fourth session (CRC/C/20, paras. 76-94)

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INTRODUCTION

1. The Government of El Salvador is pleased to submit the information supplied in response to the list of issues drawn up in connection with its initial report submitted last year in accordance with the commitments entered into by El Salvador vis-à-vis the Committee on the Rights of the Child.

2. In this document the sequence of topics and questions raised by the Committee in its observations has been followed. The lack of specific and concrete information regarding some areas found in the initial report has been made good as far as possible; it is hoped that the information sent on this occasion will satisfy the Committee's expectations. If it does not do so, we are willing to supplement the information on issues which in its opinion is lacking in clarity or merits further development. For the Government of El Salvador it will always be a pleasure to report on the efforts it is making for the benefit of children and to make known action indicative of its very great interest in them.

3. As the Committee will be able to ascertain, many of the plans presented in the initial report have already materialized; this clearly reflects the Government's political will to comply as best it can with its obligations under the Convention.

4. A supreme effort is required in order to satisfy adequately the needs which the country has accumulated during this post-war stage. However, children's needs and protection have the highest priority both for the Government and for international assistance, which is being channelled into child support programmes and projects.

5. The comprehensive legal and social protection of all children, especially the most needy, is the major concern of the present Government and the guiding principle of its policy, within the limits to which a developing country facing the consequences of 12 years of war and determined to consolidate an already initiated peace process is subject; to try to change the inadequate environment in which children live by making every effort to give priority to their cause and by increasing budget allocations for them as a demonstration of the Government's political will has been a moral, as well as legislative, imperative.

6. In order to cope with this situation, the Government of El Salvador drew up the Economic and Social Development Plan for 1989-1994, the purpose of which is the instauration of peace and the initiation of a process of economic stabilization that would lead, in the short term, to sustained economic growth and, in the longer term, to a reduction and subsequent eradication of poverty and to a strengthening of human development. This has required the making of important changes and the restructuring of economic and social activity. The most significant achievement in this respect has been the signing of the Peace Agreements and their consolidation.

7. As part of this Development Plan, the Government has drawn up a National Reconstruction Plan (PRN) to take care of both the population groups and the territorial areas most affected by the conflict, and a National Plan of Action for Children under which the priority task of the State would be to secure a decent life for children that would enhance their development by providing them with a system of special protection, particularly in the case of children living in exceptionally difficult circumstances.

8. In order to initiate this plan for the benefit of children, the Government has promulgated the National Policy for the Care of Minors (PNAM), in which it sets out general and sectoral objectives, principles, premises and strategies on which action for the benefit of children, whether private, institutional or governmental, will be based.

9. In parallel, there has been a national and institutional reorganization with a view to promoting the welfare of children; the National Secretariat for the Family (SNF), the Secretariat for National Reconstruction (SRN) and the Salvadorian Institute for the Protection of Minors (ISPM) have been established. At present the latter is the body responsible for carrying out and watching over the implementation of the National Policy for the Care of Minors throughout the country and for providing comprehensive protection for children.

10. The Government, through the Ministry of Justice and with the support of SNF and ISPM , has promoted changes in legislation of great importance for Salvadorian children, including the Family Code, which, in Book V, Title II, lays down the legal and social principles for the protection of children and regulates the rights provided for by the Convention, as well as the Juvenile Offenders bill and the National Total Rehabilitation Policy bill.

11. State policy is focused on action to benefit children under the National Policy for the Care of Minors. Consequently, the present document, in addition to containing the replies to specific questions put to the Government of El Salvador, will have that policy as its main thread and integrating element.

12. We believe that the progress made by the present Government and its achievements in protecting children and ensuring their survival and development, as reflected in this addendum to the initial report, are a clear sign of its current commitment to boys and girls in El Salvador and of hope for Salvadorian society.

I. GENERAL MEASURES OF IMPLEMENTATION
(Articles 4, 42 and 44, paragraph 6, of the Convention)

1. "Please provide more details about the process of preparing the report, in particular with regard to popular participation and the involvement of non-governmental organizations."

13. The initial report transmitted by the Government of El Salvador was prepared by State bodies, with little participation by non-governmental organizations (NGOs). There were a number of reasons for this:

(a) The social crisis experienced in 1992 strongly polarized society. The proper conditions for a reconciliation permitting a consensus on such a controversial subject as human rights did not exist.

(b) The report is the responsibility of the Government of El Salvador, which, as the democratically elected representative of the whole people, undertook to guarantee children's rights.

(c) The Government invited some NGOs to participate in the analysis of the subject matter with regard to which information was to be supplied under the Convention. Only limited collaboration was obtained at that time, reflecting the historical situation through which the country was passing. Today the situation has changed, and the conditions are right for cooperation between governmental and non-governmental bodies, as can be ascertained from the information that follows.

(d) The document transmitted was made public and no comments or critical remarks were received from individuals, organizations or institutions in El Salvador.

2. "What further steps are planned for creating more widespread awareness among adults and children about the principles and provisions of the Convention ?" (paras. 14-19 of the report)

14. In addition to the steps dealt with in the initial report and in keeping with the National Policy for the Care of Minors, whose fundamental objectives are stated to be "increasing the awareness of the national community and its members as to the promotion and practice of its rights " (Objective No. 1.3), "promoting research in this area and disseminating it at the national level" (Objective No. 1.4), and "disseminating the rights of the child and legislation relating to the protection of children in a massive and permanent form with a view to maintaining and increasing awareness of the best interests of the child among all Salvadorians", the State has adopted administrative and legislative measures to publicize effectively the rights recognized in the Convention. It has established the Salvadorian Institute for the Protection of Minors (ISPM), which, through its Preventive Care Division, has designed a programme for disseminating the rights of the child and for preparing legislative measures for the protection of minors which is currently being implemented in boarding establishments and private and State factories and technical institutions. In addition, the names and addresses of institutions involved in violations of the rights of the child are given.

15. The programme includes dissemination and working sessions with parents, teachers and children held at education centres. The object is to train leaders

who will spread still further the content and spirit of the Convention; for this purpose ISPM offers technical and methodological support, materials, and supervision and follow-up of the work done by parent, teacher and child leaders.

16. In 1991 and 1992 the Salvadorian Minors' Council, which no longer exists as such and now forms part of ISPM, organized many meetings with children for the purpose of publicizing the Convention. These meetings were held throughout the country and their main protagonists were children themselves. The programme is being followed up in ISPM.

17. The recently established Office of the Procurator for the Defence of Human Rights is implementing a number of programmes for disseminating knowledge of the human rights of boys and girls. Some NGOs are also developing training programmes in the human rights of children.

18. The Ministry of Education, with its EDUCO programme, is distributing children's literature which both publicizes and encourages compliance with the rights set forth in the Convention, through pilot plans in the public, school and classroom library network.

19. With a view to publicizing the Convention on the Rights of the Child, the Procurator-General's Office has supplied copies of the text to its staff and to people who use its services, and inquiries on the subject are dealt with at the central offices and at the subsidiary offices in the departments of the Republic.

20. The Presidential Commissioner for Human Rights (CPDH) is publicizing the Convention through a programme aimed especially at students, teaching staff and military personnel. Last year it reached 32,000 persons. So far this year it has already reached 16,000.

3. "Are there any plans to adjust school curricula to give room for education about the Convention ? What measures have been taken to train professional groups about the Convention ?"

21. The National Plan of Action for Children aims at improving the quality of education, and the National Policy for the Care of Minors, in sectoral education objective "h", requires the incorporation in the curriculum of aspects of the humanities related to education in the rights of the child and a knowledge of the Convention and of civic, cultural and spiritual values. To that effect the Ministry of Education is engaged in making a thorough renewal of the curriculum, which has already begun at the preschool level in an endeavour to secure solidity at the base of the educational pyramid, having regard to children's universal right to an education that is of good quality and promotes their development as individuals and members of society.

22. Through the development of learning units in the "Our School", "Our Family" and "Our Community" social studies programme, the text of the Convention on the Rights of the Child is used as guidance material to enrich the education of pupils at the preschool and basic levels. On this foundation an effort is being made to establish a suitable educational environment in which, by the sharing of a common harmonious and democratic life at school, rights and obligations are put into practice, equality of educational and social opportunity is promoted, and children are treated with respect and consideration and develop a positive idea of themselves in their interaction with their family, school and community.

23. Teachers try to secure the support and participation of parents and the community so that what pupils manage to learn at school is reinforced by their parents and the rest of the adult population; in this context a favourable atmosphere is created for the formation of values, attitudes and habits conducive to encouraging the child to develop self-esteem, creativity and critical judgment, and to practise values, exercise rights and fulfil duties.

24. Both technical and teaching staff have been informed that all the efforts made by the Ministry of Education to expand the coverage and improve the quality of education are consistent with the provisions of the Convention on the Rights of the Child, the World Declaration on Education for All and the psychological, social and pedagogical profile of the Salvadorian child and his basic educational needs.

25. The Office of the Procurator for the Defence of Human Rights and also NGOs have proposed that material on human rights should be included in study plans at the preschool, post-basic and senior school levels.

4. "In view of the apparent absence of a national strategy to monitor the implementation of the Convention on the Rights of the Child, please indicate the effectiveness of present institutional arrangements to promote the rights of the child and monitor implementation of the Convention on the Rights of the Child. Please indicate to what extent and in what ways the present institutional arrangements relate to the non-governmental organizations in the country."

26. The National Secretariat for the Family (SNF) has been in existence since the present Government came into office and its main function is to coordinate, promote, facilitate and subsidize integrated activities for the benefit of families, mainly low-income families, through programmes including a National Plan of Action for Children for the period 1991-2000, which contains concrete proposals for programmes, strategies and resources for attaining goals that are conducive to the all-round welfare of children, women and elderly people in El Salvador by meeting their basic needs for health and nutrition, education, water, sanitation and comprehensive family care.

27. SNF's work has been along two lines: first, it has promoted legal changes which have clearly been effective and efficient, since at the moment 90 per cent of the preliminary drafts submitted have already become law; second, it has been active in setting institutional standards.

28. In institutional matters mention may be made of the signing of agreements, the financing of specific projects and the implementation of some others for the purpose of raising the standard of living of families, including, of course, children. For this purpose action has also been initiated to order and group activities for the benefit of children, since it is considered that a consolidated effort will be feasible if governmental and non-governmental institutions and agencies become aware of this possibility and officially recognize it.

29. To this effect, in mid-1992 SNF drew up a National Policy for the Care of Minors and in 1993 it established the Salvadorian Institute for the Protection of Minors (ISPM), whose basic purpose is to deal with minors' problems as a whole; consequently, it has begun to incorporate and implement programmes which had earlier been implemented by other institutions and agencies.

30. According to articles 1 and 2 of the Salvadorian Institute for the Protection of Minors Act, ISPM is responsible for implementing the National Policy for the Care of Minors laid down by the Government through the National Secretariat for the Family and for monitoring compliance with it. This Act was promulgated by Legislative Decree No. 482 of 11 March 1993 and published in the Official Gazette, No. 63, Volume 318, of 31 March 1993.

31. As a result of the Peace Agreements, the Office of the Procurator for the Defence of Human Rights was created: its basic objective is to see to it that human rights are promoted, that education in them is given, and that they are unconditionally in force. Its departments include the Office of the Assistant Procurator for the Defence of the Human Rights of Children, one of whose policies is to raise the level of implementation of the Convention on the Rights of the Child. It carries out programmes for disseminating knowledge of these rights among young people in various educational institutions and holds meetings and workshops on various aspects of the Convention. It maintains very good relations with the NGOs working in the child care field.

32. All this clearly shows that there really is a national strategy for supervising the implementation of the Convention.

33. Owing to the fact that these institutions were established only recently, other State bodies such as the Procurator-General's Office and the Attorney-General's Office are continuing to work on the legal aspects of the protection of minors.

34. This institutional restructuring will produce coordination mechanisms which will make it possible to supplement and systematize action taken in response to the goals established in the Plan of Government and to the commitments entered into in the Plan of Action originating in the Declaration of the Rights of the Child and the Convention on the Rights of the Child.

35. The effectiveness of some of the institutions currently involved in promoting the rights of the child and in monitoring the implementation of the Convention is reflected below.

36. The Ministry of Health has organized the establishment of intra-institutional and inter-institutional committees to look after the health of the population through promotion, development, prevention, recovery and rehabilitation activities. These include the Inter-institutional Committee for Child Survival (CISI), consisting of staff from the Ministry of Health and representatives of NGOs, with which "mother and child" activities are coordinated.

37. A group of 75 governmental and non-governmental organizations is working, in accordance with guidelines drawn up by the Ministry, on the training of health promotion officers and clinical midwives for at-risk municipalities; in all, 4,000 midwives and 1,500 health promotion officers had been trained up to September 1993.

38. Another committee that has been established is the Inter-institutional Committee on Health Education, which is working on the incorporation of health material in school curricula at different levels; for the moment the preschool and first and second stages of basic education are covered.

39. Since 1990 the Ministry of Health has changed its system of collecting data of epidemiological interest. The national epidemiological report for the whole health sector covers morbidity caused by communicable diseases for the following age groups: under one year; from one to four years; and from five to 14 years.

40. At present the maternal and child health programme has the following components:

(i) Comprehensive child health, for the purpose of checking the growth and development of children under six years, with a coverage of 76 per cent, which is planned to reach 80 per cent in 1994;

(ii) Breast-feeding, which supports exclusive breast-feeding practices in all 25 Ministry of Health maternity units; activities are being coordinated with private institutions with a view to strengthening this component.

41. The targets proposed for the control of vaccine-preventable diseases over the past five years have been met. Through an ongoing regular vaccination programme using reinforcement strategies such as national vaccination days and control measures such as house-to-house checks, a coverage of 89 per cent has been reached in children aged from nine months to 14 years. In the two phases of the measles eradication campaign, a coverage of 78 per cent has been reached for DPT, anti-poliomyelitis vaccine and BCG in children under one year in the first six months and a coverage of 70 per cent for tetanus toxoid in pregnant women and women of child-bearing age.

42. No cases of diphtheria have been reported since 1988, and wild poliovirus has not been detected since 1989. The incidence of pertussis and neonatal tetanus has fallen, since these diseases are targeted for eradication over the next five years. In 1993 the number of vaccine doses administered to susceptible persons was 3,572,782.

43. Other measures to improve children's health are the treatment of acute respiratory infections and the control of diarrhoeal diseases, which are the main causes of infant mortality.

44. In services provided for schoolchildren and adolescents, isolated efforts are currently being made, for instance, to supply information on human reproduction and sexually transmitted diseases, with emphasis on AIDS. Work is being done on the preparation of the diagnostic basis for the design of a programme that will provide full coverage for this population group, and all personnel working with it will be trained for this purpose.

45. The National Secretariat for the Family (SNF), through its "Planning Your Life" programme, looks after adolescents throughout the country by providing them with information on sexual socialization, focusing on aspects such as "gender", reproductive health, sexually transmitted diseases, self-esteem and assertiveness.

46. For its part the Ministry of Education has coherently guided government policy in keeping with the Convention and the World Declaration on Education for All.

47. Articles 35 and 36 of the Constitution of El Salvador establish State responsibility for the family and provide guidelines for child protection

policy. Emphasis is placed on the goal of institutionalizing preschool and basic education, which must be free of charge when provided by the State.

Initial and preschool education

48. In this connection efforts have been made by public and private institutions to ensure that, through coordinated action, children under six are provided for, particularly as far as health and education are concerned. The task is enormous, since in 1987 the population under six years of age was estimated to be 1,068,112, equivalent to 21.8 per cent of the country's total population.

49. On the basis of reports on the number of pupils enrolled, it is estimated that an attendance rate of 22 per cent was attained for this level in 1992, representing an increase of 7 percentage points as compared with 1987. Preschool education lays the foundations for a harmonious development of the child's personality and provides greater opportunities for perceptive, sensory and motor activities and for language practice, with the result that children acquire a psychosensory stimulation that prepares them for future school requirements.

50. El Salvador has expanded preschool or initial education services of various kinds with a view to promoting a better development of children under six and has encouraged informal education. For this purpose arrangements have been made for the family and the community to participate actively in children's education in rural areas, as well as for the involvement of community leaders in socio-educational activities that were previously performed exclusively by teachers. This has made it possible to use non-traditional community resources such as community homes, day nurseries, schools for parents and early stimulation at courses held on Saturdays, and to lay new foundations for determining and developing a renewed role for teachers working in initial education, in which they change from being classroom developers to community educational developers, a concept which expands their professional scope and integrates it more closely into the socio-economic and cultural development of the community.

Basic education

51. The population aged between seven and 15 years constitutes the potential demand for basic education, which includes grades 1 to 9. This level of education is divided into three stages: the first stage includes grades 1 to 3; the second, grades 4 to 6; and the third, grades 7 to 9. In 1992 the school attendance rate reached 78.4 per cent. Urban areas accounted for 56 per cent of all schoolchildren. Approximately 86 per cent of children receiving basic education attend State schools.

52. Despite the increase in coverage at the basic level, a great deal remains to be done and large investments are required, since 22 per cent of children aged between seven and 15 years were outside the education system in 1992. The action taken by the Ministry of Education to reduce the high repetition rate is hampered by factors that are difficult to control resulting from, among other causes, the serious socio-political climate which the country has gone through over the past decade and phenomena such as "gangs", drug addiction, vagrancy, vandalism and prostitution, which have increased in intensity.

Post-basic education

53. The development of post-basic education is geared to providing a choice between a variety of courses: academic, commerce and administration, industrial, health, agricultural, shipping and fishing, vocational technical, arts, the hotel and catering trades, tourism, and teacher training.

54. In order to improve the quality of the technical education offered by education centres at this level, a situation diagnosis was made with a view to facilitating decision-making concerning a reorientation of curricula to develop a new model that would satisfy the requirements and interests and solve the problems of the student population. This working methodology requires the participation of the various sectors concerned with post-basic education so that a person who has completed his studies at this level is in a position to integrate himself successfully into the productive life of the country and also to continue his higher studies.

Expansion of education services - Coverage by education system

55. Education was provided to 65,485 children at the preschool level, 20,736 of them in rural areas, at 1,089 education centres; public sector coverage was greater than that of the private sector, 32,215 children being enrolled.

56. In 1987 the number of children entitled to basic education was 1,256,540, and in 1992 it was 1,312,463. In 1987 the education system had 995,890 pupils, and in 1992 it had 1,061,645, representing an increase in enrollments of 3.31 per cent between 1987 and 1992.

Education programme with community participation (EDUCO)

57. In connection with the extension of education coverage, mention may be made of the action taken under the EDUCO programme initiated by the Ministry of Education in 1991. This programme has provided the strategy for implementing the preschool and basic education policies laid down in the Fifth Education Plan and for meeting its curricular objectives of fulfilling education sector plans and of satisfying the community's need for education and participation.

58. In 1992 the programme was extended to cover 14 departments of the country, providing education for a greater number of pupils, with an increase in the number of sections and community education associations (ACEs) for preschool education (pupils of four, five and six years of age) and basic education (grades 1, 2 and 3). Education was provided to 32,768 pupils in 1,024 sections and 1,012 ACEs. There follows a comparative table showing how the EDUCO programme has grown and has been consolidated.

59. In response to the growing demand for education services and as a result of the success of the EDUCO programme in 1992, NGOs are adopting this arrangement, financed out of their own resources.

Table 1
Comparative table of results achieved by the EDUCO programme

Section	1991	1992	1993
Children benefited	8,224	32,768	52,560
Educators under contract	263	1,203	1,550
Community education associations (ACEs)	263	1,012	1,036

Source: Ministry of Education /EDUCO programme

60. In 1993, EDUCO coverage was extended even further in keeping with its basic ideal of focusing expenditure on the poorest children, decentralizing the provision of services and promoting community participation in the administration of education.

61. Under EDUCO a total of 1,630 parents have been trained in the financial aspects of operating schools for parents and in other matters relating to them. In January 1993, a total of 1,532 teachers participated in a training programme under which administrative and institutional logistical systems were strengthened with a view to making the education system more functional.

62. Further action included the inauguration of 301 educational areas of the programme, and the holding of three seminar/workshops and of monthly meetings on pedagogical and financial guidelines with the participation of district supervisors.

Curricular improvement

63. The Ministry of Education has promoted a renewal of curricula that has directly contributed to an improvement in the quality of education and whose main objective is to help to shape the behaviour, habits and skills of all Salvadorians.

64. This renewal has been initially focused on pre-school education and on the first and second stages of basic education. As a result of it, substantial achievements that have made it possible to adapt the national curriculum and to improve its relevance, usefulness, efficiency and effectiveness have been recorded. New models and methodologies that provide basic and useful learning material for Salvadorian children have been designed.

65. The specific action taken to plan, implement, validate and monitor the new curricular structure has enabled teachers, parents, students and technical experts to participate with a view to ensuring its success. Curricular aids such as study programmes, teacher support guides, work-books, primers and technical documents, as well as education assessment models, constitute, in all, modern methods of teaching which enable students to participate in a cooperative manner.

66. In parallel with the innovations in the curricula for preschool education and the first stage of basic education, a new English curriculum has been drawn up for the third stage of basic education.

67. Likewise, a diagnosis has been made of post-basic education and proposals have been put forward for improving its quality and for determining the supply and demand situation with regard to post-basic education services, since the need to focus on this level, which is made up of vulnerable groups aged between 12 and 18 years, is now under consideration.

68. For technical education 15 plans have been drawn up for courses designed to provide skilled labour that will help to develop the country's productive capacity.

Training

69. In order to set the curricular renewal in motion and to ensure its success, it has been found necessary to acquaint 16,000 teachers with the contents of programmes, reference works, work-books and primers and to train them in their use. These materials, in turn, are being validated by teachers and technical experts.

70. This training has led to attitudes of greater responsibility and enhanced commitment and to acceptance by teachers of the role they have to play in improving the quality of education.

71. The conceptual and methodological framework on which the training plan is based includes both on-the-spot instruction and home study courses. Both kinds of training support the efforts being made to renew curricula so that teachers and school directors, in addition to acquainting themselves with the new teaching methodologies and the use of the new teaching aids for their application, develop the capacity to reflect on education problems, the demand for education, the value of the education offered and the need to commit themselves professionally to the sharing of responsibility.

72. The areas that are being developed under the training plan are:

- Educational diagnosis and response activities,
- Curricular aids and participative teaching methodologies,
- Learning assessment,
- Follow-up and observation of teacher performance,
- Introduction to the home study method of training,
- Educational planning,
- Inter-active radio,
- Leadership,
- Personnel management,
- School-community relations

73. The model for the organizational structure of functional support units for the curriculum improvement programme has been designed and the documentation on achievement levels and target structuring, as well as the content of the grade 2

and grade 3 programmes in Spanish, mathematics, social studies, science, health and the environment, physical education and art have been prepared.

74. The work-book for grade 1 children has been prepared as an aid towards implementing the new study programme.

75. A total of 2,052 preschool and 5,677 grade 1 teachers have been trained in the following areas: preschool education methodology; basic learning theory; identification of needs, interests and problems; preparation for reading and writing and for mathematical computation; education sector diagnosis; and the pedagogical focus on the psychosocial development of children and others. In the first quarter of 1993, a total of 4,627 grade 2 and 3,369 grade 3 teachers were trained.

76. To improve the effectiveness of educational administration, 600 directors of basic education schools have been trained in school administration. In keeping with the fundamental purpose of this training, its content covers practical and basic aspects that will enable directors to perform their administrative duties as heads of school efficiently.

77. The inter-active radio programme is one of the support elements for curricular renewal. A total of 2,450 teachers have been trained and are already working with the programme. The 50 teachers who developed the pilot model have also received training. The innovative element in this programme enables children, through the use of the radio and work-books, to develop their mental agility and logical reasoning power in mathematics.

78. With the scholarships awarded by AID/CAPS under the "Basic Education Leaders" programme (CAPS), teacher leaders in rural areas have been trained in participative techniques and methodologies for forming and developing leadership skills and attitudes, as well as in methods and strategies for the transmission of knowledge and experience to other teachers and other members of the community so that the knowledge acquired will have an effective multiplying effect. In practice, teacher leaders work as real agents of change, creating a positive atmosphere for community development work and detailed planning in the context of educational progress.

79. Training has also been given to teachers working in urban areas with a high potential for social problems, situated in critical geographical zones having distressing levels of crime, prostitution and drug addiction. The two kinds of training used were developed in the United States of America.

80. The Ministry of Education has attached fundamental importance to the educational activities of parents within the community with a view to enabling them to assume their role as administrators of educational processes.

81. In this context 906 more parents have been trained to administer educational services through the Communal Education Associations (ACEs) under the Community Participation in Children's Education Programme (EDUCO). Training has also been given to 1,136 experienced teachers and to 302 new teachers.

82. Under the preventive school maintenance programme, 386 parents have been trained at 17 centres in the use, maintenance and repair of school infrastructure, on the basis of the experience gained.

83. As part of the school library programme, 300 teachers have been trained in the use and operation of school libraries.

84. Under the school emergency plan, 200 teachers have been trained to serve on first aid, evacuation and rescue, vigilance and alarm, fire prevention and extinction, and environment committees.

85. In special education, training has been given to teachers working in the educational therapy classes that are held in ordinary schools. In keeping with the teaching philosophy on which it is based, this training deals with methods, techniques and programmes for re-educating and integrating children with behavioural or learning problems.

86. As part of the programme of psychological care for child victims of the conflict, a seminar/workshop has been held to train teachers and community leaders in the psychological care of the family unit, classroom psychology stimulation techniques, and mental health activities at school and in the community.

87. The strategy of training teachers and community leaders has both formal and informal applications, which are included in the course on the psychological care of children, with a view to securing the participation of teachers, community leaders and the children to be benefited.

Educational materials

88. In order to implement the curricular innovations, it has been necessary to equip preschool and basic education establishments with teaching materials and other resources. Thanks to the support given by international agencies, it has been possible to meet the basic needs. In addition, tape-recorders, cassettes and batteries have been delivered to 2,450 grade 1 and grade 2 units.

89. Also, 4,000 study programmes for children aged from four to five years in nursery schools, 5,000 for children aged six in nursery schools, 10,000 for grade 1 children, 5,500 for grade 2 children, 4,500 for grade 3 children, and 3,000 for grade 4 children have been designed and printed. They were delivered during the on-the-spot training courses for teachers at the beginning of the school year.

90. Likewise, the new learning assessment handbooks have been supplied to 7,996 teachers.

91. In addition, 250,000 exercise books and 100,000 jotting pads for preschool and grade 1 children have been distributed.

92. The periodical Horizontes has finally begun publication, with 30,000 copies per quarter. It provides teachers with guidance on technical, pedagogical and methodological matters to enable them to keep constantly up-to-date and to improve their work.

93. Seminars/workshops have also been held on printed educational materials and on supplements, journals and periodicals.

94. By 1994 children in basic education will be using new textbooks prepared by Salvadorian experts with the advice of foreign specialists. These textbooks reflect up-to-date knowledge and are consistent with the latest study programmes

and the new curriculum. Among them mention may be made of Historia Nacional, which deals with the history of El Salvador from pre-Columbian times to the signing of the Peace Agreements.

School Food Programme

95. School food programmes have been set up and developed for the purpose of assisting families with meagre resources and, specifically, children in rural areas. The programmes have been successful both qualitatively and quantitatively, since school absenteeism is falling, enrollments are increasing, and school performance is improving.

96. The Ministry of Education and the National Secretariat for the Family, through the Directorate for Food Logistics (DGLA), have faced up to the problem of the malnutrition from which Salvadorian children suffer, especially those living in rural or marginal urban areas and those affected by the armed conflict. Among the food distribution programmes, mention may be made of the school food programme, which covers 237,900 children, and of the nutritionally improved bread programme, which offers children a food supplement that improves their capacity to learn. Owing to the geographical characteristics of each ACE, the latter programme continues to be exclusively operated by EDUCO, and 62,000 children benefit from it. Similarly, the Social Investment Fund (FIS) provides support through school breakfasts. All these activities not only increase schoolchildren's protein intake, weight and height: they also create conditions more conducive to substantive learning.

School-Community integration

97. The School-Community programme is an adaptive strategy that consists of starting up a series of activities which supplement technical educational elements with real-life practice offering a comprehensive training in which all sectors are involved in cultural and educational matters. The participants in the strategy are the pupils and staff of the school and members of the community in general, who support existing activities and initiate others of direct benefit to those concerned. In such a context parents' associations play a leading role in developing these kinds of activity, since all members assume responsibility for the part they play and are incorporated into the democratic self-management process as a whole.

98. Consequently, it has been important to encourage the persons concerned to associate themselves with other organizations engaged in promoting local development.

99. At present many activities are being undertaken through the school-community educational relationship, in which both governmental and non-governmental organizations are involved. The methodologies used in school-community inter-action are eminently participative, since they integrate different members of the community and the population is involved from the time when the diagnosis is made up to the time when projects are implemented and needs, interests, aspirations and problems are assessed. One specific participative activity is the preparation of the risk and resources map: the opinions expressed by the representatives of some communities indicate that this kind of methodology is a true reflection of the problems and risks involved and also explains them through illustrations.

100. The most significant activities carried out within the school-community framework are:

- Teaching adults to read and write, with initial reading practice;
- Health and nutrition education;
- Preventive school maintenance (initial stage);
- School for parents;
- Training people for work, with a view to introducing students, teachers and parents to community life and cooperative work; in this way education is transformed into an adaptive self-management activity which leads to rational work integrated into real life.

101. In the list of issues reference is also made to the type and quality of relations with NGOs in El Salvador.

102. As is to be expected, the implementation of the strategy laid down in the Convention on the Rights of the Child requires that the efforts made should supplement one another and that the action taken should be coordinated: accordingly, El Salvador is equipped with agencies which assure both compliance with the provisions of the Convention and public participation in the commitment entered into.

103. Among the institutions that play a leading role in securing compliance with the provisions of the Convention, mention may be made of the Inter-institutional Coordinating Body for the Defence of the Rights of the Child, consisting of approximately 30 NGOs concerned mainly with child care, the mother-child relationship and/or women; the Coordinating Advisory Committee on the Situation with Regard to the Rights of Children, which has a multisectoral composition; the Office of the Government Procurator for the Defence of Human Rights; and some 150 NGOs which, although children are not their priority concern, carry out programmes and projects which benefit Salvadorian children.

104. Accordingly, these legitimated and legalized NGOs maintain direct relations among themselves and with autonomous and/or decentralized government institutions and agencies focusing on activities for the benefit of children.

105. Since November 1993, the Ministry of Health has had a facility responsible for coordinating activities with NGOs.

106. The Ministry of Education is increasingly strengthening and facilitating relations with NGOs engaged in educational activities through the establishment of more fluid coordination mechanisms in the implementation of educational strategies for the provision of comprehensive care to children, mainly to children under seven and children receiving informal basic education. With the participation of NGOs such as Visión Mundial, Desarrollo Juvenil Comunitario, PROCADES, Muchachas Guías, the "José Simeón Cañas" Central American University, the "Francisco Gavidia" University, and the University of El Salvador, educational alternatives for Salvadorian children under seven and for children receiving basic and special education have been established and curricular proposals and the performance of intersectoral education development programmes have been analysed and validated.

107. The process of institutional reconstruction that is under way has led to a quantitatively and qualitatively different kind of relationship between government institutions and NGOs. The process of bringing civil and political society closer together has spread to other levels, with the result that the

liberalization, flexibility, tolerance, mutual respect, collaboration and reconciliation shown by both governmental organizations and NGOs have produced a more harmonious and cooperative mutual relationship.

108. Child care has been institutionalized, and the Salvadorian Institute for the Protection of Minors (ISPM) has been established as the executive and supervisory body for the National Policy for the Care of Minors. For this purpose it enjoys the collaboration of UNICEF, which has supplied a consultant for the elaboration of a system of care for minors and families in which treatment is conceived as a continuous process developed in four stages for the purpose of offering immediate comprehensive care to minors in difficult circumstances from the time they enter the Institute to the time they rejoin the community. Minors in such circumstances must start in the admission phase and then pass, if their case so deserves, to the observation and diagnosis phase, from which they are sent on to the treatment phase: they finally reach the most important phase in the process, which is insertion in their social medium.

109. Chapter V of the Salvadorian Institute for the Protection of Minors Act is entitled "Division for recording the registration and authorization of non-governmental organizations and other bodies concerned with protecting and caring for minors, and their supervision".

110. Articles 16 and 17 of the Act provide as follows:

"Obligation to register and obtain authorization

Article 16. "Any non-governmental organization or other body concerned with protecting and caring for minors and minors' trustee boards must register in the book to be kept by the Institute for that purpose.

Institutions engaged in the activities indicated in the previous paragraph may not function without the prior authorization of the Institute.

Before granting legal personality to a non-governmental organization or private body concerned with protecting and caring for minors, the Ministry of the Interior shall consult with the Institute so that it can decide, within a period of eight days, whether or not it is appropriate to grant it.

Non-governmental organizations constituted after the entry into force of this Act shall have one year from the date of their constitution in which to apply for registration.

If the period indicated in the previous paragraph elapses and the Institute does not decide on the registration of the above-mentioned organizations, the latter shall be lawfully registered and the Institute is obliged to enter them in the relevant books".

"Compliance with purposes and policies

Article 17. "The Institute shall take steps to ensure that institutions of whatsoever kind for the protection and care of minors and minors' trustee boards comply with their purpose.

In particular, the Institute shall take steps to ensure that projects, programmes or services for minors help to implement the National Policy for the Care of Minors".

111. As provided for in the Act, NGOs are in contact with governmental bodies through ISPM and the National Secretariat for the Family, in the latter case through its child and adolescent units.

112. ISPM, in coordination with five NGOs, is carrying out projects for the care of minors affected by the armed conflict. Furthermore, of the eight persons that compose ISPM's Governing Council, by law one is a representative of the duly registered national NGOs (art. 6 of the Salvadorian Institute for the Protection of Minors Act)

5. "Please clarify whether the provisions of the Convention can be invoked in court."

113. The Convention on the Rights of the Child can be invoked in court, since when it was ratified on 27 April 1990 it became a law of the Republic and, in case of doubt regarding its status as compared with that of any subsidiary legislation, the Convention prevails (art. 144 of the Constitution).

114. In keeping with the spirit of the Convention, a Juvenile Offenders bill has been prepared for the purpose of bringing all legislation relating to juvenile offenders into line with the provisions of the Convention on the Rights of the Child, basically with regard to their comprehensive protection and training, respect for their human rights, the best interests of the child, and their reintegration into the family and society.

115. The Salvadorian Institute for the Protection of Minors has been established under legislation designed to take care of children and adolescents when their rights are violated or when they are threatened.

116. The Legislative Assembly has already adopted the Family Code, in which, as far as legislation relating to minors is concerned, an attempt has been made to comply with the principles of the Convention on the Rights of the Child.

117. The main purpose of the Adoption bill is to provide for the best interests of the child.

118. Under our constitutional system of law, international treaties or conventions signed and ratified by El Salvador prevail over domestic law. They are laws of the Republic and can therefore be invoked before the country's courts and administrative authorities in conformity with article 144 of the Constitution, which reads as follows:

Article 144. "International treaties entered into by El Salvador with other States or with international organizations become laws of the Republic when they enter into force, in conformity with the provisions of the treaty and of this Constitution.

Legislation may not amend or derogate from the provisions of a treaty in force for El Salvador. In the case of a conflict between the treaty and legislation, the treaty shall prevail."

119. On this same point article 185 of the Constitution is applicable. It orders judges and magistrates to act as follows:

> Article 185. "Included within the power to administer justice, the courts are empowered to declare, in cases on which they have to pronounce judgment, the inapplicability of any law or order of the other branches that is contrary to the provisions of the Constitution."

120. The Family Code recently adopted by the National Assembly follows the same lines in its articles 8 and 205, which read as follows:

> Article 8. "The provisions of this Code must be construed and applied in conformity with its guiding principles and the general principles of family law in the form that best guarantees the effectiveness of the rights established in the Constitution and in international treaties and conventions ratified by El Salvador."

> Article 205. "The list of rights and duties indicated does not exclude the others recognized or established in international conventions."

6. "Please list any new legal codes (or amendments to previous laws) which have been adopted in the spirit of the Convention."

121. In this connection we can indicate that, in all the efforts made to modernize our legal system, account is taken of the treaties, covenants or conventions ratified by El Salvador; consequently, in the current review of legislation on minors, both children and adolescents, for the purpose of promulgating new laws, care has been taken to ensure that the new laws conform to the rules laid down in the Constitution. As examples we may mention:

(a) The Salvadorian Institute for the Protection of Minors Act of 31 March 1993, already mentioned;

(b) The Family Code, Book V of which deals with minors and the elderly, adopted by the Legislative Assembly in October and due to enter into force on 1 April 1994;

(c) The Juvenile Offenders bill, now in the process of being debated and adopted.

7. (a) "Are there any plans to improve the collection of statistical data and other necessary information about the status of children?"

122. The present Government plans to leave in operation for the next Government a social information system capable of providing quality information for determining the main population and social development indicators such as live births, infant mortality rate, mortality and morbidity, children of school age, and enrollment by levels of education. It should be pointed out that SIS does not take account of specific information on children in especially difficult circumstances owing to the complexity of data-collection and the lack of a suitable methodology.

123. On the preventive side, ISPM is planning to set up a project research and evaluation division to carry out basic and applied research, and to establish a data bank on the status of children in El Salvador.

124. SNF and ISPM are planning to develop, in the short term, a data bank on the status of children and the family in El Salvador.

125. The Ministry of Justice states that, when it drafted the Juvenile Offenders bill, in order to back it up, a search was made for statistical data on juvenile offenders aged between 12 and 18 years. For this purpose a special department responsible for obtaining statistical data in this field has come into operation.

(b) "Please detail measures taken to ensure that the authorities obtain necessary information and data about the status of children as a basis for designing programmes for the rights of the child and whether there is a need for technical assistance in this regard."

126. Through the ministries operating in the social area, the Government has maintained contacts with some international agencies for the purpose of acquainting itself with working methodologies that will provide it with progress and social impact indicators in the various fields concerned. In this endeavour we can mention the sentinel sites methodology proposed for the health sector, the methodology used in evaluating the impact of the community maternal homes programme operated by SNF and ISPM and the National Commission for Area Restoration (CONARA).

127. Despite the foregoing experience, there are still no indicators to show the progress made with particular reference to children in especially difficult circumstances; this hampers decision-making and the isolated measures that are being implemented.

128. In this connection the Ministry of Planning , as the ministry responsible for producing official statistics, would be greatly helped if it were to obtain technical assistance for the design of research that would make it possible to ascertain the status of children and their families in detail.

129. In the light of the recent agreements reached among representatives of the statistical offices at regional level, the multi-purpose household surveys can be strengthened to meet the requirements of the various plans of action drawn up to comply with the provisions of the Convention on the Rights of the Child.

8. (a) "Please indicate what overall plans exist today, on a national and local level, to implement the provisions of the Convention?"

130. The Economic and Social Development Plan for 1989-1994, which existed before the Convention was adopted and signed, is sufficient evidence for it to be recognized that the social strategy presented in it is correct but needs to be further developed, since it gives priority to and focuses on vulnerable groups, including children; its main objective is to eradicate extreme poverty by laying the foundations for sustained social development.

131. The signing of the Peace Agreements and the initiation of a national reconstruction plan can also be added to the efforts which the present Government has made to comply with some of the provisions of the Convention, since it aims at covering the most sensitive areas and needs of towns and villages which, because of the war, were not being covered by basic services such as education, health, subsidiary infrastructure services and basic sanitation.

132. The elaboration, implementation and operational development of the National Plan of Action for Children is further evidence of the efforts which El Salvador is making to meet the commitments entered into. The targets laid down in it have been adopted by every institution engaged in regulating, promoting and boosting social action programmes and projects.

133. These plans are consistent with the Economic and Social Development Plan for 1989-1994, as is the Plan for the Social Development of Children and Youth. It should be pointed out that the implementation of these plans has required the focusing of expenditure on the poorest sectors of the population, the decentralization of services, private and community participation, the regular control and evaluation of sectoral plans or policies, the strengthening of planning processes, coordination of the use of resources so as to channel them towards strategic objectives and programmes, and the establishment of effective links between sectoral institutions and local governments.

134. The Ministry of Education has comprehensive plans for consolidating the technical aspects of teaching that relate to the provisions of the Convention. In addition to the project for consolidating the range of basic education, education services are being extended under the Community Participation in Children's Education Programme (EDUCO) and the Institutional Consolidation Project, under which administrative systems for institutional logistics have been strengthened with a view to improving the functioning of the education system. Work done under this internal strengthening of the Ministry includes the review, adaptation, design and development of the planning, management information and statistics systems, the distribution of educational materials, the supervision of education, the preventive maintenance of school infrastructures, and human resource development.

135. This work meets the need to have: (a) a planning system that will integrate, coordinate, evaluate and follow up the Ministry's activities to promote the development and welfare of Salvadorian children and young people; (b) a management information and statistics system that will make it possible to take the most appropriate standard-setting and executive decisions; (c) a system for the distribution of materials that will guarantee the prompt and convenient delivery of all kinds of material to education centres; (d) a preventive infrastructure maintenance system in which responsibilities are shared between education centres and communities; and (e) a human resource development system that will have a positive effect on the Ministry's teaching and administrative staff so that education services can be offered in the required quantity and quality.

136. In the context of curricular reform, the school-community component has been incorporated by promoting a process of integration between community members and the school in which interests, needs and problems of personal development are discussed through the application of participative techniques and methodologies that make it possible to raise the community's standards. The success of this educational relationship is being achieved through the work done by the school and community to strengthen parents' associations, the establishment of schools for parents, and the empowerment of community schools, all of which makes for a higher level of parent and community participation and for greater efficiency; the work done by boards of governors, teachers and education development committees also contributes to this success.

(b) "Please describe the administrative, legislative and other measures adopted by the Government of El Salvador to channel, to the maximum extent, available resources into effective support for the rights recognized by the Convention."

137. As has been previously mentioned, compliance with the commitments entered into under the Convention has required reforms in the legal and institutional frameworks.

138. With regard to the legal framework, the report clearly shows the number of draft bills submitted to different authorities for their approval.

139. As a positive aspect of the institutional reforms, mention may be made of the preparation of the National Policy for the Care of Minors and the establishment of the Salvadorian Institute for the Protection of Minors: the purpose of the former is to provide guidance and guidelines on how to treat children while that of the latter is to deal with the problems of minors as a whole, which is why it has begun to incorporate and execute programmes which were formerly implemented by other institutions and agencies.

140. The budget increases for the ministries operating in the social field are a further indication of the Government's interest in complying, effectively and efficiently, with the commitments entered into in the above-mentioned plans.

141. As for the channelling of funds, up to the maximum extent of available resources, to giving effect to the rights of children and to their social priorities, the Ministry of Education is focusing its resources on priority attention to children in preschool education and the first stage of basic education, with additional inputs by SNF with its school food programme, which provides a food supplement for children receiving basic education in rural areas under EDUCO's nutritionally improved bread programme; it also supplies nutritive school breakfasts and the basic kit of educational materials for pupils from the nursery school level up to grade 6 of basic education.

142. The budget of the Salvadorian Institute for the Protection of Minors, drawn up in May this year, consisted of the sum of the allocations to three agencies which were at that time operating in the field of minors' affairs - namely, the Directorate-General for the Protection of Minors, the Salvadorian Minors' Council, and three Ministry of Education centres. The total amount from these three sources was 145 million colones. At the time a budget reinforcement of 5.1 million colones was granted and 1 million additional colones were obtained through the extraordinary budget. UNICEF has assigned the sum of 500,000 colones for various programmes for 1994. The amount allocated for the 1994 budget is 40.1 million colones, representing a considerable increase and reflecting the importance attached to this major institution for the protection of minors.

(c) "Please indicate what proportion of the national budget is allocated to social priorities for children in official budgets, both central and local."

143. Despite the socioeconomic crisis which the country has been experiencing since the war, the Government has made a very great effort to progressively strengthen the social area. The reply to this inquiry is given in several different parts, since it is not possible to know for certain how much of the national budget is allocated specifically for children.

144. In the case of the education sector it is possible to know how much is allocated to certain programmes whose direct beneficiaries are children. The table below shows what percentage of the Ministry of Education's budget is invested in the different levels of education (for further details, see table 2).

145. In the case of the Ministry of Health, for 1992 alone it is possible to present the composition of expenditure on the first level of care (see table 3).

146. After analysing the information available, we consider it important to point out that the proportion of the total budget allocated to the social sector has been increased since 1989, since it rose from 28.14 per cent in 1990 to 31.3 per cent in 1992.

Table 2
Ministry of Education
Comparative table of budgetary expenditure by level, 1988-1993

Level	1988	% incr. over prev. year	% share	1989	% incr. over prev. year	% share
Preschool education	3,751 524	10.41	0.86	4,046,314	7.86	0.86
Basic education	375,027,631	11.25	85.97	400,839,420	6.88	85.19
Post-basic education	32,248,337	(23)	7.39	38,254,950	18.63	8.13
Sub-total	411,027,492	10.25	94.22	443,140,684	7.61	94.18
Others	25,196,178	13.17	5.78	27,360,936	8.59	5.82
Total	436,223,670	10.41	100	470,501,620	7.85	100

Level	1990	% incr. over prev. year%	% share	1991	% incr. over prev. year	% share
Preschool education	24,407,899	503.21	4.48	24,680,015	1.11	4.48
Basic education	462,494,665	15.38	84.95	467,983,773	1.18	84.95
Post-basic education	28,790,150	(24.74)	5.29	29,142,250	1.22	5.29
Sub-total	515,692,714	16.37	94.72	521,806,038	1.18	94.72
Others	28,740,476	5.04	5.28	29,087,160	1.2	5.28
Total	544,433,190	15.71	100	550,893,198	1.18	100

Level	1992	% incr. over prev. year	% share	1993	% incr. over prev. year	% share
Preschool education	30,567,286	23.85	4.48	35,372,463	15.72	4.48
Basic education	579,618,505	23.85	84.95	670,734,534	15.72	84.95
Post-basic education	36,093,959	23.85	5.29	41,767,929	15.72	5.29
Sub-total	646,279,750	23.85	94.72	747,874,926	15.72	94.72
Others	36,025,729	23.85	5.28	41,703,144	15.72	5.28
Total	682,305,479	23.85	100	789,578,070	15.72	100

147. It must be pointed out that this increase is partly due to the transfer of budget allocations from the economic to the social sector which occurred as a result of the process of modernizing the State and the development of the policy of focusing expenditure on specific sections and/or sub-programmes and target populations, as well as to the end of the war.

148. In real terms, all the social subsectors grew between 1990 and 1992. For example, the budgets for the health and education sectors were increased by 8.5 and 6 percentage points from 1991 to 1992.

149. In real terms, in 1992 the ministerial budgets for health and education showed an increase over 1991 of 22.7 and 13.3 per cent respectively, with an annual real rate of increase for the same period of 2.77 per cent for education and 6.39 per cent for health.

150. The budget increase in these areas enables us to affirm that the present Government, despite its limited financial resources, is re-orienting the ordinary budget with a view to satisfying the most urgent needs of the most vulnerable population groups, including children, mainly in the areas of health and education.

Table 3
Ministry of Health Budget
(in colones)

1991	1992	Increase	Increase in primary care
404,000,000	530,000,000	126,000,000	52,500,000
100%	131.18%	31.18%	13%

Primary care

Activities	Ordinary budget
Comprehensive personal care with emphasis on maternal and child care	42,500,000 a/
Nutrition	2,000,000
Immunization	1,000,000
Environmental health, especially in rural and marginal urban areas, installation of latrines, elimination of waste and vector breeding places	5,000,000
Improving installed capacity (Remodelling and construction of health units and stations in rural and marginal urban areas).	2,000,000
Total	52,500,000

a/ Creation of 850 new posts in the five health regions, 500 of which are for health promotion officers.

151. In connection with the part played by local governments in satisfying social needs, we consider it appropriate to point out that in most cases their budgets are increased through CONARA's Municipalities in Action Programme and with funds from the Secretariat for National Reconstruction's National Reconstruction Plan, for the purpose of meeting infrastructural and basic sanitation needs. Since the decentralization process has so far been focused on central government agencies, it is understandable that local governments do not have the budget resources needed to cope with the social requirements of their communities.

(d) "What indicators or target figures are used in this context?"

1. Health

152. Efforts are being made to strengthen primary health care, especially for the most vulnerable groups, children and poor women. The Ministry of Health will continue to extend the opening hours of health establishments at the first level of care. Additional human and other resources are being allocated to the maternal and child health programme with a view to increasing coverage to 50 per cent of the target group. The aim is to reach 84 per cent of the target population in vaccination campaigns in 1994. School oral health will be strengthened, as will oral rehydration activities to counter the effects of diarrhoea.

153. Health administration will be decentralized so as to transfer direct responsibility to the regions, thus promoting community participation in the solution of health problems. The Government will also encourage greater participation by the private sector in the health system. The Salvadorian Social Security Institute (ISSS) has initiated the privatization of some services.

154. By focusing on nutrition programmes, calorie-protein malnutrition will be reduced in the most vulnerable groups. Growth monitoring will be extended through the mother and child programme. The iodization of salt and the fortification of sugar with Vitamin A will be resumed. Health and nutrition education will be strengthened in joint activities with the Ministry of Education. The Ministry of Planning, the World Food Programme, UNDP and the World Bank have recommended the nutritional bread programmes for schools, weaning foods for infants aged from six to 36 months, and the food coupon pilot plan.

2. Education

(a) Preschool education

155. The Government's objective is to increase preschool coverage from the 1989 figure of 14.7 per cent to 30 per cent in 1994. For this purpose the EDUCO programme has already been implemented in 78 municipalities identified as priority areas. The programme is based on educational decentralization and direct community participation in education management. The Ministry of Education will participate in the promotion, training and follow-up aspects of the educational process by supervising them and making payments to the community for each child attended to.

(b) Basic education

156. The goal is to extend overall enrolment coverage from 82 per cent in 1990 to 90 per cent in 1994. This will involve reducing drop-out and repetition rates in the first six grades and extending, through EDUCO, coverage of the first stage in rural areas. Programmes will be improved and an evaluation system will be established at the national level.

(c) Quality of basic education

157. This is being achieved through the operational development of the project for consolidating the attainments of basic education, which also aims at training teachers and at providing a technical training for education administrators.

9. "To what extent is international cooperation designed in order to enhance the implementation of the Convention?"

158. At present a social sector rehabilitation project, focused on the Ministries of Health and Education, is being carried out in El Salvador; at a cost of US $ 35 million. Its purpose is to concentrate care services on 78 high-risk municipalities having a child population of low weight and height and to strengthen the institutional capacity of the Ministries of Planning, Education and Health so that they can plan the delivery of social services efficiently.

159. Data supplied by the Directorate-General of International Technical Cooperation indicate that at present an amount of US $ 4,054,000 is being spent on assistance projects for minors (see table 4).

Table 4
Technical assistance projects being implemented in support of children

Sector	Name of project	Amount in US $	Source
Social development. Health, secondary level of care	Maternal and child health through community leaders in high-risk areas. Nahuizalco/Juayúa	89,825	Canada
Social development. Children's soc. assist.	Regional Child Survival programme	3,176,000	EEC
Soc. development. Community development. Productive community activities	Vegetable growing for minors'Home	12,250	Spain CODEPO
Soc. development. Community development. Productive community activities	Poultry farm, bakery for Izalco Minors'Centre	47,510	Spain CODEPO
Child development. Urban development. Community works	Remodelling and restructuring of Izalco Minors'Centre	56,250	Spain MON/GEN
Child development. Urban and community development	Purchase of land. Pro Niñez Programme, Soyapango	12,500	France MON/GEN
Social development. Social welfare for adolescents	La Niña Home, San Vicente de Paul	57,538	Canada MON/GEN
Social, educational and cultural development. Early age	Informal preschool education for marginal and refugee children	46,600	OAS
Social development, health	Basic services in poor areas. Comprehensive child care programme	560, 000	UNICEF

Source: Directorate-General of International Technical Cooperation, MIPLAN.

160. For activities that promote the implementation of the Convention, recourse has been had to international development cooperation services for the following projects: a multinational basic education project; the care of marginal urban populations; the care of refugee and marginalized urban and rural populations between six and nine years of age in informal preschool education; the care of refugee and marginalized rural populations from six to nine years in preschool and basic education, financed by AS; the development and start-up of UNESCO-associated schools; environmental education; the "Cornfield kids" project; the national education plan for all, financed by UNESCO; the development of basic education and intensive health care with community participation project, financed by WFP; comprehensive care for children up to six with community participation in rural areas; support for special education, financed by UNICEF; and the network of public libraries financed by Mexico.

161. ISPM is also applying to organizations such as UNICEF, PAHO, Cooperazione Italiana, PRODERE and Cooperación Española for international cooperation to help in meeting needs and attaining proposed objectives. The support applied for may be both technical and financial.

162. The Procurator-General's Office states that international aid is necessary, but so far only six training courses have been supplied for its staff working in the social field.

163. It is recognized that if financing was available for the social, legal and family guidance programme to promote responsible parenthood which is being implemented with minors and parents at the national level and through which the rights of the child are being disseminated, coverage would be increased and the audiovisual facilities needed to enhance motivation and concept stabilization would be made available.

164. In response to the commitments entered into at the World Summit for Children and when it signed and ratified the Convention, the Government has developed the National Plan of Action for Children (see table 5).

Table 5
Domestic funds and external cooperation in the social area

	Cost of project (in colones)	Domestic funds (in colones)	External cooperation (in colones)
Health	49,533,558	6,574,415	7,737,825
Education	141,112,600	42,300,000	64,900,000
Water and Sanitation	508,223,900	125,123,900	1,000,000

II. DEFINITION OF THE CHILD

1. "What is meant by "child", in the meaning of article 1 of the Convention, under national legislation?"

165. The report submitted by the Government provides an exhaustive definition of the child. However, between the time the report was published and the present time the concept has been modified.

166. In the National Policy for the Care of Minors adopted in March 1993, the definition of the child formulated in the Convention was accepted. However, the term "minor" (menor) is used as a synonym of "child " (niño) in conformity with previous Salvadorian legislation and with the prevailing idea that a child is someone under seven years of age, and also because "menor" (minor) is more appropriate in Spanish since it covers both genders.

167. With the entry into force of the Family Code adopted on 11 October 1993 the concept of a "minor under age" is synonymous with the word "child" used in the Convention.

168. In this connection we reproduce below articles 345, 346 and 347 of the Family Code, in which the definition of a "minor under age" is given.

> Article 345. "Minors under age are any natural persons under 18 years of age. In case of doubt, a person shall be presumed to be a minor unless the contrary is proved."
>
> Comprehensive protection
>
> Article 346. "At all stages of their development, including the prenatal, minors shall enjoy physical, biological, moral, social and legal protection.
>
> Affection, emotional security, moral and spiritual training, the care required for a minor's development, an adequated environment and recreation are essential aspects of comprehensive protection."
>
> Responsibility of the family, society and the State
>
> Article 347. "The family has the main responsibility for protecting minors, because it constitutes the natural and appropriate medium for promoting the normal development of their personality; society and the State shall assume subsidiary responsibility when the family does not ensure sufficient protection. In order to guarantee the established rights of the child, the State shall provide parents with appropriate assistance for the fulfilment of their functions."

III. GENERAL PRINCIPLES

A. Non-discrimination (article 2)

1. "Please indicate to what extent the provisions of article 2 are covered in national legislation with regard to all possible grounds for discrimination spelled out in that article."

169. Under Article 3 of the Constitution, interpreted in an extensive and systematic manner, the principle of non-discrimination which it regulates covers all aspects protected by the Convention.

170. In developing the article in conformity with the Convention, the Family Code introduces the following rule:

"Fundamental rights of minors

Article 351. "Every minor is entitled:

(28°) To enjoy the other rights recognized by the Constitution, international treaties ratified by El Salvador and other laws ensuring their protection."

171. Obviously, when it is stated that the rights recognized in international treaties are recognized, this includes the Convention in its entirety.

172. More explicitly, the State assumes this commitment to protect children against any form of discrimination under article 349 of the Family Code:

"Minors shall enjoy the rights set forth in this Code without distinction as to sex, race, language, religion, nationality or disability or handicap. Neither shall they be discriminated against by reason of the family, social, economic, political and religious status of their parents, guardians or persons responsible for them before the law."

173. Just as important as the change in Salvadorian legislation is the change in attitudes observed at both the private and institutional, governmental and non-governmental levels with regard to non-discrimination.

174. The growing awareness of the discrimination to which many children in the country have been subjected as a result of extreme poverty and the armed conflict has helped to mobilize society in their favour, as is shown by the laws that have recently been adopted, the establishment of governmental bodies for their protection, such as SNF, ISPM, PDH, and the emergence of a multitude of NGOs, some of which, such as FUNTER, FUNPRES and CEPREMIN are directly concerned with their care, while others include them in their services for the community in general. Private and governmental initiatives have been taken for the social and physical protection of disadvantaged children, such as the Salvadorian Institute for the Rehabilitation of the Disabled (ISRI), Aldeas SOS, community maternal homes, day nurseries and schools for parents, as well as a series of programmes designed to raise the standard of living of the most vulnerable groups of children.

175. In general it can be affirmed that the political will displayed by the State and community participation clearly show that a positive change of attitude in favour of underprivileged children is taking place in the country,

since the law is having effect in enforcing respect for, and compliance with, the rights set forth in the Convention.

2. "Please indicate specific and concrete measures taken to combat discrimination against girls/rural children/children belonging to minorities or indigenous communities/refugee children/disabled children, including measures to eliminate and prevent discriminatory attitudes and prejudices."

(a) Non-discrimination against adolescents

176. The approval of the Convention on the Elimination of All Forms of Discrimination against Women is a specific measure to combat discrimination against women. The Ministry of Education has worked hard, in renewing the curricula, to prevent the marginalization of girls on the basis of gender, with a view to ensuring that all discrimination against them is eliminated from curricular guidelines.

177. SNF has promoted, within its different ministries, training in sex-gender theory. It has also provided training in the prevention of violence against women through public information meetings at the institutional and community levels and of NGOs. At the Ministry of Education training has been given in the analysis of sexual stereotypes in educational texts and materials to persons responsible for preparing educational materials.

178. The draft Family Code was revised with a view to eliminating any form of discrimination against women, taking the Convention as a basis. This revision was carried out with the collaboration of women from NGOs and governmental organizations.

179. The National Secretariat for the Family has assured responsibility for establishing specific programmes for adolescents for the purpose of drawing attention to their vulnerability due to the stage of development through which they are passing and to the effects of the social crisis which they have experienced.

180. In order to develop specific programmes for them, the most important problems affecting them were discussed; identified as such were early pregnancies, early sexuality, sexual violence, and the situation of adolescents in especially difficult circumstances.

181. Against this background, programmes were developed with the support of various ministries, NGOs, AID and communities which in one way or another provided an immediate, long-term or medium-term response offering alternative solutions to these problems. The most important activities in this respect are:

(a) The "Young Mother" programme;

(b) The "Planning Your Life" programme;

(c) The programme for dealing with sexual violence;

(d) Lectures and meetings to discuss the problems of adolescents.

182. Independently of this, support has been given to the Women's Unit in matters of sexuality and self-esteem:

(i) With UNICEF and other institutions in the National Breast-feeding Commission;

(ii) With the Ministry of Education for problems of student gangs;

(iii) By coordinating the Central American Subregional Technical Meeting on Women and Adolescents in Central America with UNICEF;

(iv) By an exchange of information with Hogares CREA in the Dominican Republic, Guatemala and Mexico with reference to drug-dependent children;

(v) By exchanging "Health, Women and Self-esteem" at the Latin American level, and the methodology used in them;

(vi) Fund-raising with international agencies;

(vii) Evaluation and continuous training in the different programmes;

(viii) Inter-institutional coordination among NGOs, governmental organizaticns, international agencies and communities.

Projects for 1994-1997:

(a) Continuation of evaluation and continuous training programmes;

(b) Extension of coverage;

(c) Encouragement of adolescents to engage in recreational activities as an important element of their mental health;

(d) Continuation of gender-perspective programmes to modify sexism.

(b) Non-discrimination against rural children

183. The Attorney-General's Office is developing a programme for communities. The community has been considered a priority area in the development of programmes to prevent delinquency and drug addiction, since it constitutes the social framework within which people are in constant contact with one another in meeting the basic challenges of life in common.

The Attorney-General's Office has therefore developed activities by means of which, with the participation of the community, alternatives can be proposed to improve the conditions in which rural children currently live. Members of community organizations and the community in general have been made aware of children's rights. Guidance has been given to members of community organizations on how to take an active part in preventing the ill-treatment of boys and girls. A model has been evolved for joint action by grass-roots organizations and the community in general in order to resolve critical situations that might lead to the ill-treatment of children. Communities have been supplied with information that will enable them to take action to minimize ill-treatment of the child population. The implementation of sports, cultural and recreational projects for children in rural areas has been coordinated with other institutions, and communities have been encouraged to recover their values, roots and folklore so that they can be passed on to children. Since

1992, 26 developing communities, with a child population of 13,000, have been assisted under this programme.

184. For its part, SNF has opened 27 community homes in different municipalities for the comprehensive recuperation of rural children aged between two and six years, where they receive health care, food and early stimulation. There are plans to open 154 more homes by 1994, under the supervision of ISPM.

(c) Non-discrimination against children belonging to minorities or indigenous communities

185. See special protection measures, section VIII. D of this document.

(d) Non-discrimination against disabled children

186. The Teletón Foundation for Rehabilitation (FUNTER), in particular, takes care of disabled children: 10 per cent of its patients are under 14 years of age. It has designed a programme (PONI) which deals exclusively with grade 1 schoolchildren, with a national coverage, especially of rural areas. So far it has attended to 200,000 disabled children.

187. FUNTER has implemented a project on equality of opportunities for disabled persons which has led to the preliminary draft of the Comprehensive Rehabilitation of the Disabled bill. This document has special chapters on disabled children. To prepare it, technical consultants were employed, with the help and financing of the National Association of Private Enterprises (ANEP).

188. Also, the draft National Policy for the Comprehensive Rehabilitation of the Disabled drawn up by various NGOs and reviewed in coordination with SNF and the Ministry of Education has been delivered to the President of the Republic. Its purpose is not so much to protect disabled persons but to enable them to enjoy their human rights on equal terms with other people. A seminar/workshop for governmental and non-governmental organizations has been convened to develop a national comprehensive rehabilitation strategy and to stimulate a constructive dialogue among participants with a view to identifying limitations on the provision of services and to determine the roles and responsibilities of users.

189. The National Council for the Comprehensive Care of the Disabled has been established; it was sworn in on 8 December 1992 and is in the process of organizing its activities. Its purpose will be to draw up the policies to be followed in matters of rehabilitation and to see that they are complied with. The Council consists of 16 members representing various governmental and non-governmental organizations.

190. Under the Constitution special education has priority within the national education system and outstanding activities in this connection are carried out by 23 special education schools operating in El Salvador. These activities have been supported by increasing the number of special therapy classes in ordinary schools and by training teachers, through on-the-spot instruction and methodological modules, to detect and correct learning problems. Teachers have also been trained in the preparation of curricular guidelines and other methodological aids.

191. In classes for deaf children, children's hearing problems are attended to through the use of specific methodologies, equipment and teaching materials.

192. Another important aspect is the integration of disabled children into regular classes by training basic education teachers in psychomotoricity, speech therapy, musical education and the care of the mentally retarded.

193. For the first time a study has been made of the principal emotional and psychological problems of children and young people through the development of a pilot plan to care for children directly affected by the armed conflict. The study was carried out with a sample drawn from 20 populations considered to have priority under the National Reconstruction Plan.

194. In addition, valid methodological strategies for the formal and informal education of children found to be suffering from psychological troubles have been designed. As part of this process training is being given to teachers, parents and community leaders in psychopedagogical guidance and the use of curricular guides. This experience will serve as a basis for providing psychopedagogical care to children with learning problems at centres established at the national level.

195. Furthermore, the Salvadorian Institute for the Rehabilitation of the Disabled (ISRI) has various centres which look after children who are deaf, blind, mentally retarded or who suffer from motor development incapacities.

B. The best interests of the child (article 3)

3. "Please indicate in what way the best interests of the child are taken into consideration in the legislation as well as in judicial, administrative or other proceedings."

196. The National Policy for the Care of Minors, in the section on legislative objectives, states that "current legislation will be re-adapted to modern doctrine on the protection of minors". In this spirit the Family Code adopted by the Legislative Assembly through Decree no. 677 of 11 October 1993, which is due to enter into force on 1 April 1994, in Book V on minors and the elderly, provides for this principle as follows:

"Best interests of the child

Article 350. "In the interpretation and implementation of these arrangements the best interests of the child shall prevail.

By the best interests of the child is meant everything that promotes his physical, psychological, moral and social development with a view to securing the complete and harmonious maturation of his personality.

On the ground of these interests, minors shall have priority in receiving protection and help in all circumstances.

In order to make the fulfilment of the rights established for the benefit of minors effective, the law provides that the provisions of the Family Code must be interpreted and applied in harmony with its guiding principles, including that of the comprehensive protection of minors, in the form that best guarantees the effectiveness of the rights established in the Constitution of the Republic and in international treaties and conventions ratified by El Salvador."

197. In administrative proceedings, this work is done by providing information on the rights contained in the Convention and by explaining that it is a law of the Republic and must be complied with even though it may conflict with domestic laws.

198. In judicial proceedings the necessary reforms are being introduced to give full effect to this principle in accordance with official policy, one of whose legislative objectives is to submit reforms and new legislation. An example of this is the Juvenile Offenders bill, article 3 of which reads as follows:

"Guiding principles

Article 3. The guiding principles of this Act are the comprehensive protection of minors, their best interests, respect for their human rights, their comprehensive education, and their reintegration into the family and society."

199. This bill is at the final review stage and is to be submitted to the Legislative Assembly for approval; there is sufficient motivation for it to be adopted and for it to enter into force at the same time as the Family Code and the Family Procedure Act.

200. Article 165 of the Family Code also tacitly recognizes the best interests of the child in the regulation of adoption:

"Adoption is an institution for the protection of the family and society, especially based on the best interests of the child with a view to giving him a family that will ensure his welfare and all-round development."

201. Chapter V of the same Code, in article 344, "lays down the principles on which the protection of minors is based, recognizes and regulates their rights, from the time of conception up to 18 years of age, as well as the duties which they shall have in accordance with their physical and mental development and the duties of the family, society and the State to ensure their comprehensive protection",.."which shall be provided at all stages of their development" (art. 346).

202. The Salvadorian Institute for the Protection of Minors Act by its very nature and specific purpose, is centred on "the best interests of the child". The Executive branch, through SNF, has drawn up the National Policy for the Care of Minors and has entrusted to the Institute the task of "implementing and watching over compliance with the National Policy for the Care of Minors throughout the country and of providing minors with comprehensive protection" (art. 2). The Act gives effect to such protection and to the principle of the best interests of the child through the 16 functions which it confers on the Institute in article 4.

203. In article 33, the same Act establishes the administrative procedure for taking measures to protect minors :

"whenever the Institute becomes aware that any minor under 18 years of age is threatened or that his rights are being violated through neglect. The Division of Admission, Evaluation and Diagnosis shall immediately open an investigation, make the preliminary inquiries, and take the appropriate protection measures on a provisional basis."

204. The Juvenile Offenders bill establishes the judicial procedures to be followed for dealing with juvenile offenders in keeping with the Convention, the purpose being to resocialize them rather than to punish them and to promote their all-round education and social rehabilitation.

4. "The right to life, survival and development"

"Please indicate the steps taken to create an environment conducive to ensuring to the maximum extent possible the survival and development of the child."

205. The fact of being alive implies a right to continue living. Parents have the primary responsibility for safeguarding children's right to life, survival and development. Accordingly, the Family Code contains many articles guaranteeing this right. In Book III, Chapter II, it legislates on the personal care to which children are entitled, from their upbringing (art. 211), to life together with their parents (art. 212), their moral and religious training (art. 213), education (art. 214) and financial support (art. 218).

206. In Chapter V, article 351, the Family Code lists the fundamental rights of minors in 28 paragraphs, in which it describes in detail how parents should provide their children with optimum conditions for all-round living and development.

207. In Book V, Chapter II, the Family Code legislates on the general obligations of the State and society in matters concerning children's right to life. In article 353 it establishes their right to the protection of their life and health ; in article 354 it describes the obligations of the State with regard to the protection of the physical and moral health of minors; in article 355 it provides for the right of every boy and girl to medical care; articles 356 and 357 deal with minors' rights to education from the initial to the higher stage; articles 365 to 374 contain provisions to ensure an appropriate personal and moral development in keeping with dignity; articles 376 to 382 establish working minors' rights to protection with a view to ensuring that, if they have to work, their work does not impede their healthy development; and finally articles 383 to 388 legislate on children's right to recreation and to be protected from ill-treatment and violence, which are the major obstacles to their survival and development.

1. Some measures to promote survival

208. With regard to access to health services, the Plan of Government for 1989-1994 proposed that:

(i) Emphasis should be placed on the first level of prevention, focusing on pregnant and nursing women, children, the elderly and people living in poverty;

(ii) The response capacity of the Ministry of Health should be improved through the implementation of local programming and the promotion of local health systems;

(iii) The Ministry's process of institutional development should be speeded up through measures to promote territorial decentralization that would make it possible for resources to be administered at the regional and local level;

(iv) The rational use of the sector's resources should be encouraged;

(v) Private, municipal and community participation in health care matters should be coordinated, promoted, facilitated and inter-related.

In order to respond to all these proposals it was considered advisable to develop programmes for maternal and child health, family planning, general medical care, nutrition, oral health, mental health, and environmental and basic sanitation, as well as an ambitious immunization programme.

209. As far as social security for children is concerned, since 1989 the Salvadorian Social Security Institute (ISSS) has been promoting a social security programme that covers the sons and daughters of workers who contribute to the system. At present it covers approximately 35,000 children under two years of age.

210. The conclusion of the Peace Agreements was really the best thing that could have happened for creating an atmosphere conducive to the survival and development of children. A further measure would be the implementation of all the provisions of the Convention.

2. Measures to promote the development of children

211. The efforts made to secure children's rights to a family, an identity and development are reflected in the increasing number of preliminary drafts that have been submitted to various authorities for adoption: the Family Code clearly establishes the rights and obligations of the family as the primary unit.

212. As far as the right to education is concerned, the main purpose of the national education policy promoted by the present Government has been to focus resources on the preschool level and on the first stage of basic education, to decentralize education services to enable the public to participate more actively in the services offered, to rehabilitate, re-adapt and reconstruct the whole educational infrastructure, which was in a deplorable condition, and to obtain a larger budget allocation that would make it possible to meet the expenditure required to modernize the sector.

213. In order to give effect to so many intentions, the Government has put into operation programmes such as EDUCO, which is characterized by community participation and is designed to increase coverage at the preschool level and at the first stage of basic education.

214. The Government has also implemented, in a coordinated way, the programme to consolidate the attainments of basic education, the main objective of which is to improve the quality of the service by strengthening curricula at the levels catered for by EDUCO.

215. At the same time a social sector rehabilitation project and food support programmes designed to keep children within the education system and to prevent early drop-outs are being developed.

216. For the purpose of providing training for young people and adults, the Ministry, in coordination with NGOs, is promoting and developing adult education programmes. Among them mention may be made of the programmes relating to literacy, basic education for independent students, job training, and others.

217. Along the same lines the Ministry has established a network of public libraries for the purpose of accustoming people to read and providing opportunities to acquire additional and new knowledge.

218. Steps have also been taken to promote relaxation and leisure activities, which are listed in the report.

219. A curricular development project is being carried out in which care for the development of the child's personality has been related to problems such as environmental deterioration, population pressures, the high rate of poverty, individual and community health, and the crisis affecting the family, social integration and cultural identity. All this is being done with a view to teaching the child population to develop positive attitudes in order to help to improve the quality of life. On this basis the targets for preschool and basic education have been readjusted, and this has led to a new study plan which includes instruction in health, education, population matters, the environment, educational guidance, mathematics and science, physical education, and civics and communication, entailing a new approach to language development.

220. The Salvadorian Institute for the Protection of Minors has adopted measures in favour of child survival and development, such as the establishment of day nurseries in low-income areas, the promotion of comprehensive care centres in factories, and the establishment of community maternal homes. Thus health, nutrition and education programmes are available. The age group cared for is basically that between two and seven years.

C. Respect for the views of the child (article 12)

5. "What concrete measures have been taken to sensitize public opinion and educate personnel working with children to the need to encourage children's participatory rights?"

221. The Ministry, through the project to consolidate the attainments of basic education, has carried out an educational benefits awareness campaign for the purpose of creating greater social awareness of the value, importance and significance of education for progress and development and an understanding that access to education lays the foundations for a better future for society and provides the basis for its positive transformation.

222. This campaign is aimed at the general public, teachers, pupils and parents and its purpose is:

(i) Among teachers, to produce changes in disposition and professional motivation, with emphasis on their role as educators, guides, trainers of men and women and facilitators of the human growth and development process;

(ii) Among pupils, to strengthen their will, commitment, and critical and forward-looking awareness as to the value of education for the development of their own lives;

(iii) Among parents, to develop a broader awareness of the importance of education for their children's future and for improving the quality of their lives and to increase their interest in their children's education and to give them positive moral support as they progress;

(iv) To encourage the general public and private enterprise to assume increasing responsibility for supporting and participating in the country's educational activities. Other specific action taken to make people aware of the need to promote children's rights have been the exercise of the rights of the child at UNESCO-associated schools. the organization and functioning of student management bodies, student councils, and the training of the educational community, including pupils, parents and community members, in the implementation of preventive maintenance projects for the school infrastructure and in community educational development.

223. The educational and cultural television channel devotes 99 per cent of its broadcasts to programmes intended to create and cultivate educational and cultural values among Salvadorian children through drama, puppet shows, marionettes, stories, legends or films whose messages promote knowledge and practice of the rights and duties of children and the care to which young people are entitled. Among the programmes that convey the best guidance, mention may be made of "Consejos 10", "Adivina Adivinador", "Cajón de Juguetes", "El Oso, el Tigre y los demás", "Kiki y Tara", and "Club de Diversiones".

224. The National Policy for the Care of Minors, in the section on its specific objectives in the education field, subsection "i", sets out the need to "train people working with minors with a view to supporting the latter's activities", and in subsection "a" on specific objectives with regard to ill-treated minors, "the training of parents, teachers, individuals responsible for minors and other persons having to deal with them" is encouraged.

225. For this purpose SNF, as the policy-making body, and ISPM, as the executive body, are including among their projects for 1994 a project to train their own staff and other persons involved in child care in children's right to participation. ISPM is in the process of discussing a bill to guarantee: (1) the right of the child to express his views freely on matters that affect him and to have them taken into account; (2) the right to freedom of expression and freedom to seek, receive and disseminate information; (3) the right to freedom of thought, conscience and religion; and (4) the right to freedom of association and peaceful assembly.

226. The Family Code, in article 351, paragraph 9, maintains that children "are entitled to be listened to by their parents, guardians or other persons responsible for them and to express their views freely on all matters affecting them, of which account must be taken in family decision-making and in administrative and judicial proceedings."

6. "Please provide further information on the way in which the principle of respect for the views of the child is reflected in matters affecting the child, in particular in judicial and administrative proceedings (para. 82 of the report)."

227. In keeping with the principle that the child must be listened to, as laid down in the Convention, the Salvadorian Institute for the Protection of Minors Act provides for an administrative procedure for the taking of protective measures; article 34 stipulates that the minor and the government procurator for juveniles must be present in court, in addition to the minor's parents.

228. The Juvenile Offenders bill, in article 5(i), clearly establishes the right of a minor accused of a criminal offence "to be informed of the reason for his

detention and of the person responsible for it, and to request the presence of his parents, guardians or other persons responsible for him". In addition, the minor is regarded as a person liable to be tried, with a right "to be heard in the exercise of his defence". (art. 46 of the bill).

229. Furthermore, in the adoption process a minor will have the right to intervene in order to give his consent if he is over 12 years of age. The Family Code, in article 174 (4°) states:

> "A person over 12 years of age must also give his consent, even if he attains that age during the course of the proceedings."

Also, article 216, which regulates the custody of children when their parents are no longer able to act as such, states that:

> "In the absence of agreement between the parents or if such agreement is detrimental to the interests of the child, the judge shall entrust the child to the personal custody of the father or mother, whoever of the two best ensures his welfare, taking into account his age and sex and of such moral, emotional, family, environmental and financial circumstances as may be present in each case. The child shall be heard if he is over 12 years of age and, if necessary, the Procurator-General, who shall base his opinion on technical studies."

230. Article 351, paragraph 9, emphasizes a minor's right "to be listened to by his parents, guardians or other persons responsible for him and to express his views freely on all matters that affect him, of which account shall be taken both in family decision-making and in administrative and judicial proceedings."

IV. CIVIL RIGHTS AND FREEDOMS
(Articles 7, 8, 12-17, and 37(a) of the Convention)

1. "Please indicate measures taken or envisaged to ensure that all children are registered after birth, including sanctions in case of non-registration or late registration. How is registration ensured, particularly in rural areas?"

231. Article 311 of the Civil Code provides that

> "any father of a newborn child has an obligation to communicate to the local mayor, within 15 days following the birth at the latest, the information necessary for its inscription in the register of births. This obligation also applies to the infant's mother and closest relatives."

The sanctions for failure to register children or relatives within the period indicated are laid down in the respective rates established for each municipality in the Municipal Code.

232. There are no special regulations for the registration of births in rural areas because, on account of the small territorial extent of El Salvador, there is almost always a nearby place where the persons concerned can carry out these formalities, there being local registers in every town hall - in other words, in every town in the country; in fact, there are 262 local registry offices where this service can be obtained, and it is, by law, free of charge.

233. It should also be pointed out that, as a result of the war, registration was made more difficult by the destruction and burning of municipal registers.

234. After the Peace Agreements were signed, measures were taken by legislative decree to meet the documentation needs of people who had never been able to obtain their documents or who had lost them during the years of armed conflict.

2. "What specific measures are being taken to encourage the publication, dissemination and availability to all children of children's literature?"

235. There is not much specialization in children's literature in our country but children's literature from other countries is being distributed through the pilot plans for the public, school and EDUCO classroom library projects.

3. "What concrete steps have been taken to investigate cases of ill-treatment of children and prevent its occurrence?"

236. The Procurator-General's Office has adopted the following measures:

(a) A social inquiry is being carried out to take stock of the situation;

(b) Cases are referred to the Psychology Department so that psychological guidance can be given to the family and the child;

(c) Cases are followed up;

(d) When the case so deserves, it is referred to the courts or to the Salvadorian Institute for the Protection of Minors through the government procurators for juveniles.

237. All this is done to ensure that the child is protected from any form of discrimination or inappropriate punishment arising from the status, activities, opinions or beliefs of his parents or guardians.

238. The Office of the Procurator for the Defence of Human Rights is investigating the issue of the ill-treatment of children. In this connection many measures are being taken, such as the gathering of information and the provision of assistance in each specific case. A media campaign is about to be launched as a preventive measure and steps have been taken to make the ill-treatment of children a more serious offence. The Centre for the Prevention and Care of the Maltreated Children (CEPREMIN) coordinates activities with the Bloom Hospital and with SNF.

239. CEPREMIN has social workers who make home visits in response to denunciations. The rights of the child are being disseminated as a measure to prevent the ill-treatment of children. For this purpose CEPREMIN has a school for parents which trains an average of 50 parents per month and has held meetings at education centres. It has trained 225 young persons to spread, in their schools, the knowledge they have acquired. At present the rights of the child have been disseminated to more than 10,000 schoolchildren. In addition, talks are given at education centres, reaching 768 pupils this year, and to communities, six in the current year.

240. The ill-treatment of children is investigated when cases are denounced, the investigation being limited to ill-treatment within the home. Of the 362 cases dealt with in recent years, in 22 per cent the ill-treatment was physical and in 34 per cent of cases it was due to negligence; in 98 per cent of cases the person responsible was somebody known to the child, fathers being involved in 58 per cent of cases, mothers in 22 per cent, and uncles and aunts in 9 per cent.

241. ISPM has a Division of Admission, Evaluation and Diagnosis which is legally empowered to take the necessary action after the minor, his family and the aggressor have been investigated. Cases can be transferred to the ordinary courts through the Office for the Protection of Minors, Women and the Family.

4. "Is corporal punishment allowed in schools or other institutions for children ? What specific legal provisions exist to protect children from being ill-treated ? Are there complaint procedures which can be used by children themselves against such abuses ?"

242. Corporal punishment is not allowed in any educational institution. There are rules and legal provisions to protect children against ill-treatment.

243. The Family Code, in article 366, affirms that "Every one has a duty to protect the dignity of minors, safeguarding them from any inhuman, violent, frightening or humiliating treatment that might wound their self-esteem", and article 215 states that fathers and mothers have a duty to punish their children appropriately and moderately and, where necessary, to seek the assistance of expert professionals or of psychopedagogical guidance services available at education centres or organizations for the protection of minors or the family, all ill-treatment that might harm minors either physically or mentally being excluded". Article 351, paragraph 10, states that: every minor is entitled "to be protected against any kind of physical, mental or moral harm or abuse, neglect or negligence, ill-treatment, torture or cruel, inhuman or degrading punishment. If the child's behaviour cannot be corrected by these means, the

made; in order to decide upon the case, the court shall order such technical studies of the family group as it may deem appropriate".

244. Complaint procedures are available to minors whose rights are violated or who are threatened with a violation of any of them. Children have access to the recently created Office of the Procurator for the Defence of Human Rights, and denunciations made by the victims themselves are already being investigated.

245. CEPREMIN has two procedures. A personal denunciation can be made by telephone by a direct line that functions from 8 a.m to 5 p.m every day of the week except Sundays. ISPM has an emergency line in service 24 hours a day throughout the week, as does the Institute of Forensic Medicine.

V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE
(Arts. 5, 10, paras. 1 and 2, 9, 10, 27, para. 4, 20, 21, 10, 19, 39 and 25 of the Convention)

1. "What measures have been taken to implement in practice the constitutional and legal obligations to carry out programmes to promote the stability of the family (para. 92)?"

246. Both the National Plan of Action and the Policy view the strengthening of the family as the essential component of child care. Principle 5 states that within this framework the State must promote a policy which consolidates and supports the family environment. One of the most effective steps taken to achieve this objective has been the adoption of the Family Code, which will help to stabilize the family.

247. The Family Code has provided a legal framework for future programmes to encourage marriage by providing greater facilities for it and by giving the Procurator-General specific powers to promote the protection of the family and responsible parenthood.

248. ISPM has a school- for- parents programme that is carried out in day nurseries, community maternal homes , boarding establishments, and in marginal communities.

2. "What specific measures are being taken to ensure the right of the child to be in contact with both father and mother in cases of separated parents ?"

249. In article 351(8), the Family Code, among the fundamental rights of minors, provides for:

> "The maintenance of regular personal relations and direct dealings with both parents when the minor is separated from one or both of them, except when this is contrary to the best interests of the child; this right shall also include members of the extended family, especially grandparents."

250. The right is developed or supplemented by other substantive or procedural provisions. For example, when parents are separated as the result of divorce, they have an obligation to maintain relations with their children even if they do not live with them; the divorce decree must set forth the rules for the rights to visit and stay with children with whom the parent does not live. This right is extended even to grandparents (art. 108, rule 1, of the Family Code).

251. Article 217 of the Family Code provides that:

> "The father and mother, even if they do not live with their child, must maintain with him affective relations and contact conducive to the normal development of his personality. When necessary, the court may regulate the time, manner and place for this."

> "Any one having personal care of the child may not impede such relations and contact unless the court deems them to be contrary to the interests of the child. In that case the court shall take such measures as best protect those interests.

Also entitled to communicate with the child are grandparents, relatives and other persons who display a legitimate interest, provided that this is not prejudicial to the child's physical or mental health".

252. The Procurator-General deals with family problems relating to the custody and personal care of children under age when the parents do not agree on custody arrangements. When conciliation has failed, a social inquiry and a psychological study are made in order to determine which of the parents provides the best guarantee of the child's over-all development; an opinion is given on this basis, the parties concerned retaining the right to dispute the custody and personal care of the children in judicial proceedings.

253. If necessary the relationship between children and a parent deprived of their custody is established by determining a timetable for visits.

3. "Please provide information on action taken by the Procurator-General's Office to enforce the law which sets maintenance payments."

254. In order to enforce the law on maintenance payments, the Procurator-General's Office intervenes through the Family Relations Department, which sees to the payment of the maintenance monies established by law, takes cognizance of claims for maintenance payments or of changes in pre-established maintenance rates and the determination of prenatal and postnatal support costs.

Action:

(a) Voluntary agreement on the amount due;

(b) In the case of wage-earners, the amount due is established administratively after a social inquiry has been made; if no agreement is reached, the amount is deducted at the workplace;

(c) When the person who has to make the payment is not a wage-earner, a social study is carried out to inquire into his socioeconomic status and the amount of the maintenance payment is established administratively on the basis of the report.

(d) If the person who has to make the payment fails to pay over the established amount, the cooperation of the Attorney-General's Office is requested and the amount overdue is assessed on the basis of the statement of account; when the kinship bond with the child whose maintenance has been ordered has been proved, the person responsible for making the maintenance payments is prosecuted for non-compliance with the financial maintenance duties dealt with in Chapter IV, article 277, of the Penal Code, concerning family maintenance, in order to ensure that the arrears are paid off.

255. At present the Procurator-General is taking administrative action to have payments made as soon as possible and has submitted an amendment to the Penal Code under which delays in sending the sums discounted or payments due by payers or offices involved will be made a criminal offence.

256. The Family Code, in an attempt to ensure that children and mothers are protected in accordance with the spirit of the Convention, stipulates that "any pregnant woman is entitled to require maintenance payments from the child's father throughout the period of pregnancy and for three months following

delivery, including the costs of delivery (art. 249). It defines what is meant by maintenance payments, which are "allowances making it possible to meet the food, housing, clothing, health preservation and education needs of the child to be maintained" (art.247). Article 248 stipulates that the persons liable to make maintenance payments, are " (1) spouses, (2) ascendant and descendant relatives up to the second degree of consanguinity, and (3) brothers and sisters."

257. Parents who abandon their children morally and materially or stop performing the duties associated with parental authority will be liable in criminal law.

4. "What legislative measures have been adopted to protect the child against abuse and maltreatment within the family, as laid down in article 19 of the Convention? Is research undertaken into the problem of ill-treatment and sexual abuse of children, including into social factors which influence such violations? Can children lodge complaints concerning abuse or neglect?"

(a) Legislative measures

258. The Family Code prohibits any ill-treatment that could physically or mentally harm children; if they need to be punished, the punishment must be moderate. If the child's behaviour cannot be corrected by the means indicated, the father or mother may apply to the court for guardianship arrangements to be made (art. 215).

259. Article 259 specifies the grounds on which the exercise of authority by the father, mother or both may be suspended; they include habitual ill-treatment of the child, or permitting another person to do this.

260. The Procurator-General ensures that the law is implemented through the government procurators for juveniles attached to juvenile courts and the Salvadorian Institute for the Protection of Minors. Problems of ill-treatment and sexual abuse are investigated through the Social Service Department. Parents are provided with guidance, and minors who are victims of ill-treatment and sexual abuse are attended to at the Psychology Department.

(b) Research on ill-treatment and sexual abuse

261. ISPM's Research Department is in the process of carrying out initial research on ill-treatment for the purpose of diagnosing and evaluating what preventive action it should take (for further details, see Civil Rights and Freedoms in Section IV of this document).

(c) Lodging complaints

262. According to the Procurator-General's Office children may and do lodge complaints in connection with abuse and neglect. They are provided with legal, social and psychological assistance.

5. "What systems and procedures exist for the monitoring of institutions for alternative care?"

263. In keeping with the principle of the Convention that the best interests of children must be secured, especially of children who are in greatest need

because they lack the basic care of their family and have to depend on the protection of other institutions and agencies, the Salvadorian Institute for the Protection of Minors Act, in Chapter V, describes the powers which the Institute has in this connection (the text of Chapter V is given below).

"Division for recording the registration and authorization of non-governmental organizations and other bodies engaged in protecting and caring for minors and their supervision.

Obligation to register and obtain authorization.

Article 16. Any non-governmental organization or other body concerned with protecting and caring for minors and minors' trustee boards must register in the book to be kept by the Institute for that purpose.

Institutions engaged in the activities indicated in the previous paragraph may not function without the prior authorization of the Institute.

Before granting legal personality to a non-governmental organization or private body concerned with protecting and caring for minors, the Ministry of the Interior shall consult with the Institute so that it can decide, within a period of eight days, whether or not it is appropriate to grant it.

Non-governmental organizations constituted after the entry into force of this Act shall have one year from the date of their constitution in which to apply for registration.

If the period indicated in the previous paragraph elapses and the Institute does not decide on the registration of the above-mentioned organizations, the latter shall be lawfully recognized and the Institute is obliged to enter them in the relevant books.

Compliance with purposes and policies

Article 17. The Institute shall take steps to ensure that institutions of whatsoever kind for the protection and care of minors and minors' trustee boards comply with their purposes.

In particular, the Institute shall take steps to ensure that projects, programmes or services for minors help to implement the National Policy for the Care of Minors.

Infringements and sanctions

Article 18. Institutions for the protection and care of minors which operate without the prior authorization of the Institute or break the rules for the protection of minors shall be liable to a fine of from 500 to 5,000 colones, which the Institute shall impose through legal proceedings, without prejudice to any criminal liability which they may incur.

Revocation of authorization

Article 19. The Institute shall revoke the authorization granted when irregularities are committed in centres for the protection and care of

minors or when the legal provisions and the Institute's rules are repeatedly disregarded.

When the offending institution is a juridical person, the Institute shall apply to the Ministry of the Interior for the revocation of its juridical personality, and if the infringement is classified as an offence, it shall inform the Attorney-General accordingly.

Article 20. The directors, sponsors, administrators or managers of institutions lacking legal personality and of boards of trustees shall be responsible for any infringements of statutes, regulations and other provisions for the protection and care of minors that may be committed."

264. The Office of the Procurator for the Defence of Human Rights, a State institution having a specific mandate in this respect, engages in a whole series of supervisory activities in this field of child protection.

2. "Have programmes been adopted to prevent and reduce the abandonment of children and, if so, are such programmes adequate?"

265. ISPM's Prevention Division has recently initiated the schools for parents, which, as has already been pointed out in the section on family environment, are being held in day nurseries, community maternal homes, boarding establishments, and marginal communities.

266. One of the reasons why children are abandoned is that they cannot be cared for because the parents are working and in many cases the mother has been abandoned by her husband. Consequently, the Family Code, in article 359, stipulates that :

"When the incapacity, financial straits, prolonged absences or work of parents prevent them from attending to a child's early upbringing, the State shall provide for it free of charge through day care, day nurseries, homes for young children and other similar centres."

267. The State, through SNF, is responding to this need with a view to reducing the pain and guilt experienced by many parents who have to abandon their children in order to seek their daily subsistence. The measures described in the report are additional to this action by SNF. The programme provides for the training of mothers and nursemaids as well as for the care of minors.

268. Since May 1992, SNF, through its Minors' Unit, has been implementing the community maternal home programme, opening and operating 27 homes in various communities falling within the National Reconstruction Plan.

269. The purpose of the programme is to contribute to the all-round recovery of children from two to six years of age who have been victims of the armed conflict or who are living in extreme poverty by providing them with care in the fields of health, nutrition, education and psychological matters, with a view to preparing them for incorporation into the formal education system and to bringing healthy habits, moral values and education into family and community life.

270. An essential part of the programme is to awaken families and communities to the need for their active participation in the self-management of community homes. The programme cares for 25 children in each centre from 8 a.m to 4 p.m

from Mondays to Fridays, making a total of 675 children. The children are looked after by three nursemaid mothers in each home, making 81 in all, selected by the community itself. The establishment of these homes enables the beneficiary mothers, the great majority of whom are heads of household, to work and to join in various productive activities in the knowledge that their children will be seriously and responsibly taken care of.

271. At present there are 27 homes in operation, located in the Departments of Morazan, San Miguel, Usulutan, Cabañas, San Vicente, Cuzcatlán, Santa Ana, La Libertad and San Salvador. Four training courses have been given during the year to approximately 300 persons, including nursemaid mothers, members of boards of governors, and parents, who have received training in community organization, health, nutrition, education, psychology and finance. Training has also been given to 13 social welfare promotion officers. In addition, three psychological assessments have been made of each child, showing an improvement in their development and a substantial advance in their health and nutritional status. Training has been given in Boston, Massachusetts, to four social welfare promotion officers and to nine nursemaid mothers on fellowships awarded by AID-CAPS.

272. Under this programme inter-institutional relationships have been established among the health units and regions of the Ministry of Health, the Ministry of Education, mayors' offices, community schools, parishes, Protestant churches, the community in general, and political parties (ARENA, PAC, FMLN, PCN); in addition, 27 boards of governors have been formed.

273. The homes have been transferred to ISPM for follow-up. The opening of 30 more homes is being arranged; nursemaid mothers from the community are being trained to serve on the governing bodies of 12 homes due to be opened next year, making approximately 180 more in all.

274. There is also a pilot plan for marginal urban areas involving business enterprises. Under it 110 homes will be opened, 10 in enterprises and 100 in marginal urban areas with funds from the Multilateral Investment Fund.

275. With regard to the second part of the question, as to whether these programmes are considered to be adequate, we can only reply that, in matters of child care, the action taken will never be "adequate", especially in a developing country which has recently emerged from a civil war, as is the case with El Salvador. The social crisis experienced has produced a great many needs of every kind and this, as always, has affected children most of all. Within the limits imposed by this situation El Salvador has made a great effort, but it is aware that the effort made is not sufficient. It has the political will to allocate more resources to the social area over the next few years and to demonstrate, by deeds, that the best interests of the child constitute its paramount concern.

276. The fact that many of the plans outlined in the initial report have already been implemented is evidence of what has been stated above.

7. "Please describe the procedures for national and inter-country adoption, including monitoring and supervision. What measures are taken to ensure that parents giving up their children for adoption are allowed sufficient opportunity to weigh the consequences and alternatives? At what age can a child him/herself influence a decision on adoption?"

277. The most recent national legislation on adoption is contained in Book II, Chapter III, of the Family Code. In keeping with the Convention, in article 165 adoption is considered to be "an institution for the protection of the family and society, especially based on the best interests of the child with a view to giving him a family that will secure his welfare and all-round development."

278. The first section (arts. 167-187) describes the procedures for adoption in El Salvador. The second section (arts. 184 and 185) describes the arrangements for adoption by foreigners.

279. According to the Procurator-General's Office, the adoption procedures that have been followed so far, at both the national and international levels, have been as follows:

(i) The adoption is initiated and arranged at one of the competent civil courts, where the Procurator-General is heard and a reply is given through an appointed agent who participates in all the formalities.

(ii) Documentary and oral evidence is presented to establish, in particular, the good conduct of the prospective adopters and their socioeconomic and psychological capacity to ensure the child's care and all-round development.

(iii) When the court authorizes the adoption, its decision is officially recorded before a notary and a certified copy of the resulting legal instrument is presented to the registry office at the town hall so that the certificate of adoption can be entered.

(iv) Moreover, in cases of adoption within El Salvador, the parents are informed of the significance of the adoption and of the loss of their rights over the child, and the adopters are informed of the rights and duties which they have assumed. Follow-up action is also taken.

280. In cases of international adoption the resources required for follow-up action are not available. In future it will be necessary for international bodies to provide the means required to follow up such cases.

281. Since trafficking in children under the cloak of adoption has been detected at both the national and international levels, the Procurator-General is trying to arrange for the mother's consent to be given only after scientific proof through the DNA genetic code has been obtained, in order to prevent a self-styled mother from granting consent in the case of a child that is not her own.

282. With regard to the age at which a child can influence a decision on adoption, articles 174 of the Family Code, in accordance with the requirement of the Convention that a child must be heard and must be able to express his views freely on matters that affect him and have them taken into account, sets this age at 12 years. The text reads: "a child over 12 years must also give his consent to the adoption, even if he reaches this age in the course of the proceedings."

283. There is a Family Procedural Code bill which will specially regulate the adoption procedure, in addition to a bill to amend the Government Procurator's Office Organization Act so as to regulate better the administrative procedures for adoption.

284. It is hoped that both bills will be submitted to the Legislative Assembly so that they can be adopted before 1 April 1994 and enter into force at the same time as the Family Code, which has already been adopted.

VI. BASIC HEALTH AND WELFARE

1. "What proportion of the budget is allocated to health care and, more specifically, to child health?"

285. As has already been stated, at the moment it is not possible to give a reply as to how much of the overall budget is specifically allocated to child care. It is, however, possible to indicate in global form the percentage of expenditure allocated to the first level of care and which programmes are the most important. (Please refer back to table 2)

286. In order to meet the health needs of the population, in 1992 the Ministry of Health had a budget of 7.84 per cent of the national total, of which 52.33 per cent was used for implementing the maternal and child health policy. However, the Ministry has the support of various international agencies which help to promote its programmes. Their contribution was as follows: EEC, $ 99,939; UNICEF $ 404,200; APSISA $ 308,000; World Bank, $ 2,100,000.

287. At present projects are being implemented in support of these programmes in the 78 municipalities considered to be of high risk, where the care coverage provided is 100 per cent.

2. "Please provide information on:

(a) What percentage of the population has access to health care services?

288. It is thought that 40 per cent of the population has access to health care services. Information supplied by a study put out to contract by USAID indicates that 39.8 per cent of non-inpatient consultations are accounted for by the Ministry of Health , 12.7 per cent by ISSS, 45.2 per cent by private initiative, and the rest by other institutions.

289. In 34 per cent of rural and marginal urban areas, environmental sanitation work is being carried out through the construction of latrines and the laying-on of drinking water.

290. The Social Protection Committee of the San Salvador Mayor's Office is collaborating effectively to ensure that medical services are available to low-income individuals; it offers a community medical service under which 14,621 medical consultations were held in mobile clinics, 40 per cent of them for children. The Committee provided technical assistance and material resources for this service, as well as for the medical services for market users, municipal employees, and their children; at the 17 clinics 12,357 consultations took place, 22 per cent of them with children. Nutritional support has been continued, and this year 4,718 community children have been attended to. The mental health and anti-drug programmes have benefited 1,392 minors.

291. Medico-surgical sessions have been organized by the National Secretariat for the Family and the Armed Forces in three areas of the country for minors suffering from hair lip and cleft palate, in cooperation with a foreign private organization. Operations have been performed on 930 patients, with very positive results.

(b) The percentage of births attended by trained health personnel.

292. The national family health survey indicates that , of the 6,207 women of child-bearing age interviewed, 4,286 stated that they had been pregnant during the past five years; of these, 68.7 per cent stated that they had received check-ups. Of the women interviewed, 70 per cent reported that they had received their check-up at a public health establishment, and the survey reveals that at least 97.5 per cent of the women interviewed were attended to by qualified health personnel in their pregnancy check-ups. The survey also shows that, out of 2,930 cases of pregnancy, in 45.7 per cent antenatal care was provided from the first three months and in 48.2 per cent from the second three months.

293. Indicators to measure maternal health care levels have been introduced at the Ministry of Health. The indicators for 1993 yielded the following results:

Table 6
Maternal health indicators

Indicator	Present situation	1994 Target
Perinatal care coverage	22.2%	27.0%
Delivery by qualified personnel (doctor and nurse)	45.3%	48.0%
Delivery at institution	26.5%	28.0%
Delivery by qualified midwife	18.7%	19.5%
Coverage by family planning methods	7.0%	8.0%
Observation during confinement	32.0%	35.0%
Global fertility rate	4.8%	4.5%
Pap test coverage	19.4%	25.0%

294. In 1993 the perinatal information system was developed at the first and second health care levels for the purpose of identifying low-risk and high-risk pregnant and confined women and of providing a basis for decisions on treatment and timely referral, with a view to reducing maternal and child mortality by operating if the risk incurred so required. Medico-surgical material is available at all levels, especially at Ministry of Health centres and hospitals, which account for 28 per cent of all births occurring in El Salvador.

(c) The measures taken for prenatal and postnatal care of mothers

295. An aggressive media campaign has been launched to demonstrate to mothers the importance of placing themselves under medical supervision when they suspect or are sure that they are expecting a child. They are informed of the need to go to the nearest health centre in their locality so that both mother and child can benefit from care.

296. The measures adopted include the development of a prenatal information system designed to monitor closely pregnancy cases attended to in the public system.

297. A further measure taken by the Ministry of Health is the administration of tetanus toxoid to pregnant women. Information supplied by the national family health survey for 1993 indicates that tetanus toxoid had been administered to 79.4 per cent of mothers who gave birth to live children. The figure for public health centres was 96.1 per cent.

298. With regard to post-delivery care, the survey shows:

(a) That only 30.3 per cent of women underwent post-delivery check-ups and that in 97.8 per cent of cases this service was provided by qualified health personnel;

(b) That in the case of 80.8 per cent of the total 4,286 live births, check-ups were made by Ministry of Health personnel.

(d) The prevalence of tuberculosis

299. The rate of infection is 46.9 per cent of the population.

(e) The nature and context of the most frequent illnesses

300. The main causes of illness can be deduced from an analysis of the major causes of child mortality in El Salvador. Among them, mention may be made of diarrhoea, acute respiratory infections, malnutrition and neonatal tetanus (see table 5 on the 10 major causes of morbidity).

301. The national family health survey for 1993 shows that the major causes of death at different ages include:

Neonatal mortality

Low weight, 35.6 per cent; birth trauma, 17.9 per cent; congenital anomalies, 14.4 per cent; respiratory distress syndrome, 10.3 per cent; and organ failure, 7.7 per cent.

Post-neonatal mortality

Diarrhoea, 35.6 per cent; acute respiratory infections, 32.7 per cent; multiple organ failure, 10.6 per cent; congenital anomalies, 7.7 per cent. Health check-ups for nursing mothers and children occupy third place among the reasons for visiting a doctor.

Mortality among children of from one to four years

Acute respiratory infections, 27.8 per cent; diarrhoea, 24.1 per cent; measles, 13 per cent; accidents, 11.1 per cent.

(f) The occurrence and treatment of HIV infection among children and parents as well as measures to prevent AIDS

302. The national family health survey for 1993 indicates that, of the total number of women interviewed, 95.7 per cent were aware that AIDS is transmitted

by direct contact and the sharing of syringes. Also, 94.2 per cent of them were aware that if either of the parents is infected with this deadly disease, their child will be infected and will probably die. However, the survey states that only 2.11 per cent of women protect themselves by the use of a condom or sheath.

303. The incidence and treatment of HIV-infection among children under five and their parents amount to 0.66 per 100,000 inhabitants.

HIV-positive = 0.92 per 100,000 inhabitants
From five to 14 years = zero cases
HIV-positive = 0.07 per 100,000 inhabitants.

Table 7
Ministry of Public Health and Social Welfare

Pos.	Diagnosis	00-01
1	Common cold	10 905
2	Poorly defined intestinal infections	5 393
3	Acute pharyngo-amygdalitis	2 831
4	Bronchopneumonia	1 804
5	Intestinal parasitosis	686
6	Slight malnutrition	622
7	Pneumonias	381
8	Scabies	231
9	Moderate and severe malnutrition	201
10	Unspecified bacillary dysentery	177
Pos.	Diagnosis	01-04
1	Common cold	10 047
2	Acute pharyngo-amygdalitis	5 904
3	Poorly defined intestinal infections	5 559
4	Intestinal parasitosis	2 549
5	Bronchopneumonia	1 925
6	Slight malnutrition	1 152
7	Intestinal helminthiasis	592
8	Amebiasis without abscess	546
9	Moderate and severe malnutrition	527
10	Giardiasis	472
Pos.	Diagnosis	05-14
1	Common cold	4 592
2	Acute pharyngo-amygdalitis	4 120
3	Intestinal parasitosis	2 880
4	Poorly defined intestinal infections	2 668
5	Animal bites transmitting rabies	896
6	Amebiasis without abscess	832
7	Bronchopneumonia	645
8	Giardiasis	489
9	Intestinal helminthiasis	467
10	Scabies	333

3. "Please provide information on the situation of disabled children, including access to education, training, health care services, preparation for employment and recreation opportunities."

304. WHO estimates that 10 out of every 100 persons suffer from a disability: the application of this figure to our country means that in El Salvador 500,000 persons are disabled or likely to become so.

305. These figures could be recorded daily if an ad hoc statistical system was available. Some sub-records on which estimates can be based are those kept in hospitals where physical treatment is finally given.

306. With a view to providing an estimate of the disabled population in Latin America on the basis of the information available, the causes of disability are given below in percentage terms.

Table 8
Disability and percentage estimate

Disability	%
1. Locomotive system problems and amputations	3.00
2. Mental retardation	3.00
3. Blindness	2.00
4. Deafness and speech problems	2.00
5. Mental problems	1.00
6. Cerebral palsy	0.06

307. The Teletón Foundation for Rehabilitation (FUNTER) takes care of a high percentage of physically disabled children, 10 per cent under 14 years of age. Through the PONI programme, which only looks after schoolchildren in grade 1, especially in rural areas, it has taken care of 200,000 children.

308. The General Education Act states that:

(i) Disabled children must be integrated into ordinary schools in conformity with the principle of the democratization of education (art. 7), of the compulsory nature of preschool, basic and special education and its cost-free provision when supplied by the State, as laid down in article 12, and in conformity with the purposes of special education (art. 59), which are prevention, early diagnosis, raising the standard and quality of life of disabled persons, and helping to develop their potential for social integration.

(ii) The Ministry of Education must coordinate such activities and prepare policies, strategies, structures and services for the development of special education programmes (art. 5).

(iii) It also recommended that an institute for the training of teachers in urban and rural areas should be established, that ordinary education centres should be given guidance and should be supervised with a view to giving effect to article 52,and that teachers should be given in-service training in accordance with article 53.

(iv) It is recommended that provisions for the supply of assessment and diagnostic services in special education schools from the preschool level upwards should be added to article 53, to be supplemented by the respective regulations for them.

(v) Special education programmes from the preschool level upwards should be reviewed and brought up to date for the purpose of adapting them to the levels of achievement, aptitudes and potential of pupils with special or exceptional needs, as required by article 54.

(vi) In order to comply with the foregoing, there is an urgent need to establish a Directorate of Special Education staffed by persons specializing and experienced in this area.

(vii) The Comprehensive Rehabilitation bill will regulate the right to education of children and adults suffering from any kind of disability at all levels.

309. Special education has been a subject of interest since 1982, when it was included in basic education. The importance attached to special education is partly due to the problems caused by the armed conflict. An attempt is being made to provide coverage in one way or another at the national level by establishing integrated classes which, at the moment, are functioning in 59 basic education schools. With the support of private enterprise, 21 special education schools have been founded in the whole country.

310. The Ministry of Education's rules for special education cover services for disabled schoolchildren such as special education schools, therapy services, special facility classrooms, speech therapy and psychological services.

Table 9
Schools with integrated special education classes

Department	N° of schools
Santa Ana	8
Ahuachapán	1
Chalatenango	15
La Libertad	5
San Salvador	30
Total	59

Source: Teletón Foundation for Rehabilitation (FUNTER) 199.

311. The integrated classes in basic education schools constitute an effective way of looking after pupils with learning problems. Depending on the diagnosis made, their needs are taken care of either in ordinary schools, as is to be recommended, or at special centres.

312. After analysing the situation of the disabled in El Salvador, the following conclusions can be reached:

(i) Some disabled persons are employed by the State or by private enterprise;

(ii) The social rehabilitation of disabled persons who have obtained university qualifications is important;

(iii) Rehabilitation programmes and centres are little used by the rural population;

(iv) Survey results do not indicate any institution that keeps statistical records of disabled persons attended to on a monthly basis; no statistical records are kept of disabled persons in cooperatives, private enterprises or government offices;

(v) The programmes implemented by institutions are related to each institution's speciality. Some implement supplementary programmes such as recreation, sports and, especially, minors' programmes.

(vi) Business programmes are designed for disabled persons working in production and marketing. By their very nature they provide training in the field concerned and pay no attention to the development of disabled persons as human beings.

(vii) Detection, special education and vocational training programmes are available for minors, with little coverage.

(viii) The programmes implemented in institutions providing services for disabled persons are mainly concerned with physical rehabilitation; some institutions provide job-training, as well as education for parents.

(ix) Programmes for minors under 18 years of age need to be reviewed, since they provide the basis for successful rehabilitation in adult life.

313. Article 364 of the Family Code states that:

> "The State shall promote and encourage the establishment of special education centres to carry out programmes for the prevention of physical, mental or social disabilities among minors and to make early diagnoses to identify and treat learning problems in children of exceptional intelligence or in mentally retarded children by providing special facilities and offering opportunities to disabled or handicapped minors."

314. ISPM has a special education programme under which abandoned disabled minors are accepted for comprehensive care through the provision of physical, educational, vocational, and psychological support and recreation with a view to integrating them into society.

315. The Foundation for Special Education (FUNPRES) covers the seven areas included in special education in coordination with the Ministry of Education namely, children with (1) a low intelligence quotient; (2) a high intelligence quotient; (3) learning problems; (4) lack of concentration and hyperactivity; (5) emotional problems; (6) sensory problems; and (7) cerebral palsy.

316. The coverage offered so far is reflected in some significant figures: there are 25 special schools attended by 500 children; 300 trained teachers in the special schools; 50,000 children with learning problems being taken care of in basic education; 1,000 specially trained teachers in ordinary schools; and 10,000 children being provided for in areas formerly affected by the armed conflict.

317. FUNPRES maintains several programmes. They include: (1) Nahuat, which provides computerized hearing and language therapy for deaf children; (2) technical advice on special education to the Ministry of Education; (3) psychological and other special care for child victims of the armed conflict in coordination with, and under contract to, the Ministry of Education; (4) special art classes offered by the representatives in El Salvador of the Kennedy Foundation, which promotes art for disabled persons; (5) "Listen, Friend", which, in cooperation with a similar programme in the United States of America, provides hearing tests, moulds and hearing aids for children; and (6) a training project for detecting and treating children with learning problems.

4. "Please provide information on the social security system and how children can benefit from it."

318. Children's right to survival clearly implies a right to social security, as guaranteed by the State through ISSS. Children are offered the following services:

(i) Hospital care of the newborn;

(ii) Growth and development check-ups for children under two;

(iii) Medical care in the case of illness;

(iv) Immunizations;

(v) Education of mothers in hygiene, nutrition and accident prevention;

(vi) A supplementary food programme for children suffering from malnutrition.

319. The Governing Council of the Salvadorian Social Security Institute has agreed to extend, as from 1 January 1994, health care benefits to 4-year-old children of insured persons and pensioners.

320. The first stage in the process is the registration of the child, when an identity card is issued. This document is essential when applying for services such as an out-patient medical consultation with a general pediatrician.

Benefits offered

1. Preventive medicine

(i) Prevention of communicable diseases through vaccination;

(ii) Protection of the child's health through education of parents in nutrition, hygiene, accident prevention and other matters;

(iii) Out-patient medical care by a general pediatrician;

(iv) Medicines;

(v) Laboratory tests;

(vi) X-rays.

2. Financial benefits

321. The benefits offered for the children of ISSS-insured persons, under the responsibility of the Division of Financial Benefits, are:

(a) Registration of beneficiary children of up to three years of age by providing insured parents with an identity card for their children for use when they apply to the Institute for services.

(b) Issue of certificates of entitlement to health care; after the child has been registered, insured parents are issued with certificates of entitlement so that their children up to three years of age can use medical services at health centres throughout the country and at private pediatric clinics in the San Salvador metropolitan area.

(c) Orphanhood pensions for the children of insured persons; children of insured persons up to 18 years of age are entitled to an orphanhood pension when they meet the legal requirements for it (ISSS Act, art. 67; Rules for the Application of the Social Security Arrangements, rule 31).

(d) Supplements to retirement and invalidity pensions; children of insured persons qualify for an additional payment on their father's or mother's pension when the legal requirements are met.

322. In the case of a working minor, the Family Code, in article 381, states that:

"The Salvadorian Social Security Institute shall provide immediate medical care when the working minor is not affiliated owing to an omission by the employer; the parents, guardians or other persons legally responsible for him have an obligation to prove the existing employment connection within the next 62 hours."

5. "Please indicate to what extent the provisions of the Convention relating to the right to an adequate standard of living are being applied and provide specific information on the main measures adopted for this purpose."

323. This inquiry has been partly answered in the information given on the rights to health, education and housing. However, other important measures taken for this purpose will be described.

324. The steps taken by the Procurator-General's Office with regard to the right to an adequate standard of living include:

- Assistance is provided to children and their families through technical and job training and the grant of loans sponsored by a NGO to enable them to generate their own income.

- Social guidance is provided.

- Attempts are being made to make maintenance payments adequate and effective.

- In the next few years an effort will be made to establish a reserve fund for the timely delivery of maintenance payments that are made late.

- An effort is being made to obtain international assistance for extending the training grant and loan plan so that the Institute can have sufficient funds of its own for training and the granting of loans.

- In order to improve the socioeconomic status of families and children, the Procurator-General's Office has a programme for the provision of loans for the establishment of small family businesses that will enable families to improve their standard of living and of grants for technical and occupational training.

- For the next five years there are plans to seek international assistance for obtaining appropriate resources to extend the training grant and small family business programme.

- Children's social problems are attended to through the Department of Social Work.

- In its solicitude for the mental health of children and their families, the Procurator-General's Office is providing assistance to children with adaptation, behavioural, learning and emotional problems and to their families.

325. The Government is taking steps to provide housing for the poorest sectors of the population. For this purpose, in May 1992 the Legislative Assembly adopted by decree the Public Housing (National Fund) Act (FONAVIPO). In the one year in which it has been in operation, 6,186 families have been assisted in an amount of 48.7 million colones under the contributions programme, and under the loan programme 1,836 loans have been granted in a total amount of 7.7 million colones. The mass property deed programme has benefited 14,024 families, helping 70,120 Salvadorians in all. SNF has legally formalized over 3,000 dwellings to help low-income persons. FONAVIPO beneficiaries are family units earning less than two minimum wages.

6. "Please indicate to what extent plans to improve the system of education and training for health personnel have been implemented."

326. The Ministry of Health has a permanent maternal and child health programme covering gynecological and pediatric care in hospitals and health units.

327. Training is also being given to health promotion officers and the staff of health centres and units. Some 4,000 barefoot midwives and 1,500 health promotion officers have been trained. In addition, the non-governmental organization FUSAL trains health personnel such as health promotion officers and midwives in various parts of the country.

VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES (Articles 28, 29 and 30 of the Convention)

1. "What portion of the national budget is reserved for education? What are the major items in the education budget?"

328. Approximately 22 per cent of the general budget for 1994 is allocated to education. The major items in the education budget are general basic education classes, training and the supply of materials and the basic kit basket.

2. "What is being done to facilitate the school attendance for children in remote areas?"

329. In this connection, the Community Participation in Children's Education Programme (EDUCO) is being expanded and consolidated by the establishment of preschool and first-stage basic education units in very remote rural areas where there have been no schools, offering quality education services through supplementary training programmes for teachers and parents, the supply of educational materials, school snacks and educational supervision.

330. The community maternal programme operated by SNF and ISPM enables many children in rural areas to receive schooling. SNF, through the Directorate-General for Food Logistics, has distributed 11,754,287 pounds of food at 1,345 schools throughout the country to 224,090 boys and girls benefiting from the school snack programme.

331. With the collaboration of FIS, SNF has improved the infrastructure and equipped 11 homes and day nurseries.

3. "What is the real cost for the family of having a child in school at the different levels and how does it affect the school attendance of children from poor families?"

332. Having a child at school represents an outlay of over 1,500 colones for rural families or families from marginal urban areas if account is taken of equipment, books, transport, footwear, uniforms, participation in activities and earnings lost as a result of not working for nine months.

333. The real cost to a pupil's family has not been fully quantified. However, information is available on the cost per child in EDUCO programme sections, which is approximately 921.27 colones per year, and it is estimated that the cost of attending ordinary basic education schools is one half of that figure, or approximately 460.64 colones.

334. At present a study is being made to determine the cost per pupil at each level of the education system.

335. It is thought that many poor families are unable to meet the cost of educating their children. This limits the possibility of generalized school attendance, and it is in this respect that the EDUCO programme has had an impact by providing education services through its State-community co-management strategy.

4. "Please indicate whether children may be taught in indigenous or minority languages."

336. The National Commission for Culture and Art (CONCULTURA), as an agency of the Ministry of Education, is trying to keep alive and develop the country's cultural identity. The recovery and cultivation of the Nahuat language is one of its main objectives.

337. El Salvador, with the help of the Latin American Indigenous Peoples Institute, has supported the cause of indigenous peoples. Thus in 1988 the first steps were taken and 12 grade-1 teachers were trained to teach the Nahuat language; in 1989, 212 teachers were trained to promote the "Nahuat Language Rescue" project. In 1991, over 6,000 children were taught.

338. In October 1992, CONCULTURA organized the first Nahuat-language indigenous peoples' congress. It led to five commitments, already fulfilled; (1) The employment of two Nahuat-speakers at CONCULTURA to promote the language; (2) the establishment of an indigenous cultural centre at Santo Domingo de Guzmán, which was done on 14 October 1993; (3) the training of personnel in Mexico; (4) the creation of the necessary conditions for founding the El Salvador Indigenous Institute; and (5) the organization of the Second Linguistic Congress, which was held in October 1993. At this congress three commitments were entered into: (1) the preparation of a Nahuat-language grammar; (2) the preparation of materials and literature for teaching Nahuat; and (3) a reaffirmation of the intention to found the Institute.

339. In addition to Nahuat, in Cacaopera, in the east of the country, a second indigenous language called Ulua is spoken. It has been supported by 36 cultural centres in the eastern area.

5. "What concrete steps are taken to ensure full implementation of article 28.2 for the protection of the child's dignity?"

340. Apart from the fact that the functions, rights and duties of pupils, parents and teachers are laid down in the General Education Act, with provision for the operation of boards of governors, parents' associations and student councils, an attempt is being made to ensure respect for children's dignity through the application of curricular innovations and methodological strategies; the teaching-learning process is based on the fundamental learning needs of the child, with emphasis on what he is learning for life rather than on what he is being taught.

341. The Family Code, in a faithful interpretation of those provisions of the Convention that concern types of school discipline, clearly stipulates, in article 356 (b), that children "have a right to be respected by their educators". In article 366 it affirms that "everybody has a duty to protect the dignity of minors, safeguarding them from any inhuman, violent, frightening or humiliating treatment that might wound their self-esteem", and article 215 stresses that any ill-treatment that could harm them either physically or mentally is excluded.

VIII. SPECIAL PROTECTION MEASURES

A. Children in situations of emergency (articles 22, 38 and 39 of the Convention)

1. "To what extent is the Government's policy towards refugee children and displaced children consistent with the principles of non-discrimination, the best interests of the child, the right of survival and development and respect for the views of the child?"

342. After the signing of the Peace Agreements, according to UNHCR there were no "refugee or displaced children" in El Salvador. However, the number of "returnee" children has increased as their families have come back from the neighbouring countries in which they had sought refuge. In El Salvador special care is provided to returnee children through government institutions, NGOs and international assistance.

2. "What concrete programmes are there for assisting children who have returned to their home areas after the war?"

343. Under the contingency phase of the National Reconstruction Plan, help has been given to child victims of the conflict through the implementation of the following projects by the Ministry of Education:

(i) The accreditation of education services at the first stage of basic education and the first and second levels of adult education;

(ii) The psychological and other special care of children, teachers, parents and community members who have been victims of the conflict;

(iii) An extension of education services in municipalities considered to have priority under the National Reconstruction Plan, with the re-opening of old schools and the opening of new ones.

3. "What concrete measures have been taken , in both rural and urban areas, for the implementation of article 39, in particular to alleviate the psycho-social effects of the armed conflict?"

344. In order to provide immediate care for minors who are victims of the conflict, SNF has implemented the community maternal home programme, already described; so far the programme has looked after 700 children, and over 4,000 have benefited indirectly.

345. The Salvadorian Council for Minors, now part of ISPM, together with UNICEF, promoted a research project on "Child and adolescent victims' perception of the conflict". It was carried out in May and June 1992 in resettlements in the departments worst hit by the war. Its findings have served as a basis for a project arranged between ISPM, UNICEF and various NGOs which is already being implemented. It is called "Systematic project for the psycho-social community care of war-afflicted children and adolescents" and is a pilot programme that will be extended to the whole country; it is currently in operation in four resettlements.

346. In the spirit of reconciliation being promoted by the Government, this project faithfully reflects the importance attached to the principle of the best interests of the child, since it has reconciled ISPM with seven NGOs, most of

them having ideologies opposed to that of the Government, leaving aside individual interests and giving paramount importance to the interests of child victims of the conflict. The NGOs with which the project is being carried out are CPAS (Centre for Coordinating Alternative Health Programmes), PROVIDA (Salvadorian Association for Humanitarian Aid), ASDI (Salvadorian Association for Comprehensive Development), CRG (Cuazapa Reconstruction Committee), FUNSAL PRODESE (Salvadorian Foundation for Social and Economic Promotion and Development), PROGRESO (Cabañas and Cuscatlán Joint Resettlement Promotion and Management Committee), and ASAI (Salvadorian Association for Integral Support).

347. Moreover, a large number of NGOs and private institutions are carrying out specific care programmes for this population with external financial support: for example, for three years the José Simeón Cañas University of Central America has been implementing programmes in resettlement areas such as Copapayo and Guarjila. Under another programme it has trained over 300 mental health promoters for work in formerly troubled areas and is providing psychological assistance programmes to victims of the war.

B. Children in conflict with the law (articles 37,39 and 40 of the Convention)

4. "Please provide detailed information on the system of administration of juvenile justice and on the situation of children in conflict with the law, and on any progress made in implementing the legislative and other measures mentioned in the report."

5. "Please also provide further information on measures taken to improve the treatment of young law offenders and their physical and psychological recovery and social reintegration." (paras. 195, 196 and 238 of the report)

348. In connection with the system of juvenile justice it should be pointed out that, in accordance with the Minors' Code and the Organization of Justice Act, there are four juvenile courts, two in the city of San Salvador, in the central zone, one in the city of Santa Ana, in the western zone, and the other in the city of San Miguel, in the eastern zone. Since the entry into force of the Salvadorian Institute for the Protection of Minors Act in April 1994, they have lost their jurisdiction to deal with cases involving minors whose fundamental rights are violated or threatened - in other words, children who have been abandoned or who are in danger or at risk according to the Minors' Code - and they now have jurisdiction only in cases of juvenile offenders aged up to 16 years who commit criminal offences. Such minors, when deprived of their liberty, are cared for on premises of the Salvadorian Institute for the Protection of Minors, for the administration of which the Institute is responsible.

349. Minors between 16 and 18 years of age are subject to the adult penal system. However, adolescent offenders are receiving special treatment at the Tonacatepeque centre, administered by the Directorate of Penal Institutions, which forms part of the Ministry of Justice; it will be supervised by ISPM.

350. The separation, by legislative action, of jurisdiction over juvenile offenders from jurisdiction over minors whose fundamental rights, as recognized in the Convention and in national legislation, are violated or threatened, can be regarded as a success.

351. At the Tonacatepeque centre for juvenile offenders between 16 and 18 years of age, programmes are being implemented for the physical and psychological recuperation of minors with a view to reintegrating them into society.

352. Particular mention should be made of the Government's efforts, through the Ministry of Justice and the Judicial Reform Programme, to replace the Minors' Code by new legislation that will remove any differences between the provisions of the Convention on the Rights of the Child, the Constitution, and legislation on minors, in the light of the real situation obtaining in Salvadorian society.

353. Along these lines a Juvenile Offenders bill, based on the United Nations doctrine of comprehensive protection, has been prepared for the treatment of minors who are accused of breaking the law or who state that they have broken it. Consequently, when the new legislation comes into force full effect will have been given, in the legislative field, to all the rights concerning these matters set forth in the Convention. Although the latter is a law of the Republic, guarantees and procedures consistent with its provisions need to be established.

354. The Juvenile Offenders bill is being reviewed so that it can be adopted at the end of 1994. In addition, the following action is being taken:

(a) The amendments to the Code of Penal Procedure are already in force;

(b) The infrastructure of premises where minors are held is being made more appropriate;

(c) With the help of the Italian Government, a programme for the assistance of juvenile offenders is being implemented, although the percentage of youngsters in receipt of such assistance is very low.

355. The Salvadorian Institute for the Protection of Minors has drawn up a policy of comprehensive care for minors, using a combined physical, psychological and social approach aimed at removing juvenile offenders from institutions and integrating them into society by means of programmes designed to make detention centres more humane through an outward-looking approach and a change in the way in which they operate, so that objectives of benefit to the juveniles protected by them can be attained.

356. In order to improve the treatment of juvenile offenders, activities have been undertaken in which the youngsters work directly, in a coordinated and conscious way, with staff including psychologists, social workers and programme leaders, as well as in close coordination with senior officials of the Division of Institutionalized Care. Internal rules have been drawn up providing for youngsters' rights, duties and obligations as members of the institution, and corporal punishment is abolished Compliance with these disciplinary rules is evaluated once a week by the youngsters themselves at periodical meetings at which self-assessments are made of positive and negative conduct during the week. A record of the proceedings is prepared and is signed by the youngsters so as to give greater emphasis to those points in respect of which they have expressed an intention to improve. Youngsters attend school and vocational workshops outside the institution, under weekly supervision so that their vocational and academic performance and attendance can be checked.

357. Another noteworthy aspect is the regular reflection on the abuse of drugs such as cigarettes, marihuana, glue and alcohol, and the respect owed to oneself and to others; this helps to enable youngsters to enhance their self-esteem and generally provides them with the consideration which is due to them as human beings.

358. A further important aspect worth mentioning is the job training in tailoring, construction work, motor vehicle maintenance and carpentry received at Ciudadela Don Bosco, in which a number of youngsters have done exceptionally good work. With the help of foreign organizations such as Cooperazione Italiana, small shoemaking and tailoring businesses have even been founded in which youngsters from the Social Rehabilitation Programme are playing a leading role.

C. Children in situations of exploitation (articles 32, 33, 34, 35, 36 and 39 of the Convention)

6. "With reference to paragraph 206 of the report, please indicate whether the Government intends to ratify ILO Convention No. 138 or other ILO Conventions relating to the minimum age for employment and whether technical assistance would be useful in this regard."

359. ILO Convention No. 138 is one of the conventions due to be ratified; this has been agreed upon by the Reconciliation Forum, since the Convention does not run counter to the Constitution. Technical assistance is considered to be appropriate in this connection in order for the Convention to be speedily implemented.

7. "Please provide further information on the inspections carried out by the Attorney-General's Office in places of work to ensure observance of the rights of the child and compliance with the law and indicate whether any sanctions or penalties for non-compliance with the Labour Code have been applied."

360. The Procurator-General provides legal advice to persons of low incomes and represents them at law in the defence of their rights as employees. These rights also apply to minors, but interventions are limited to the performance of technical legal services in employment matters.

361. Employment cases involving minors are considered to be special, and an inquiry into working conditions will be carried out and steps will be taken to ensure that the Ministry of Labour, which is responsible for imposing sanctions in cases involving working minors, implements the law. The Family Code confers responsibility for protecting working minors upon the Salvadorian Institute for the Protection of Minors (ISPM). The Institute and the Ministry of Labour and Social Security have an obligation to implement special programmes for the training of minors (art. 382).

8. "The report mentions existing and planned measures to combat the exploitation of children in situations such as the sale or use of drugs, social exploitation and abuse, including prostitution, sale, trafficking and abduction. Please provide information on the progress made in implementing these measures."

362. The Juvenile Offenders bill, which is in the course of being adopted, and the Penal Procedure Act are consistent with the guidelines and spirit of the Convention.

363. ISPM is already functioning, and the Act establishing it was adopted in March 1993.

364. The Family Code provides clear legislation on the prevention of alcohol and other forms of drug abuse. Primary preventive measures are provided for by article 368, which regulates entertainment unsuitable for minors, by article 369, which prohibits the sale of harmful substances, by article 370, which prohibits the use of children for conveying commercial messages inciting persons to consume the above-mentioned products, and by articles 371, 372 and 373, which regulate premises unsuitable for minors and the material that may be sold to children and its advertising.

365. The El Salvador Anti-Drug Foundation , through its education, research, clinical care and community intervention divisions, has carried out effective nation-wide programmes and mass campaigns for the prevention of drug consumption; it trains agents and social leaders, founds and trains anti-drug teams manned by young people, supplements information and training programmes at education centres, and carries out visits to factories and recreation centres. Resolute preventive campaigns aimed at young people and, especially, the family are promoted in the mass media. Programmes geared to communities, particularly the most vulnerable social and geographical groups, are implemented every day with greater frequency.

366. In this area the Attorney-General's Office has developed a national programme specially designed for the education system with a view to encouraging teachers and students to play a fundamental role in preventive action within the school environment. The implementation of educational and awareness programmes to acquaint pupils with the social implications of criminal conduct and drug consumption has helped to promote a rejection of such behaviour.

367. At the national level, methodological strategies to strengthen and extend the rejection of drug consumption have been developed. A national training programme based on the Convention on the Rights of the Child is being implemented for preschool and basic education teachers. Under it 15,000 students from eight to 18 years of age have been catered for.

368. In addition, the programme for the care of glue-sniffing street-children has been put into operation. Under it 300 children have been looked after at the national level, 10 of whom have been reintegrated into their homes. The remainder are still living in the streets and parks of San Salvador, Santa Ana and other departments, where they are provided with food, with medical, dental, psychological and psychiatric care, with personal cleanliness facilities and recreational day outings to resorts where they can enjoy themselves as a further right under the Convention.

369. The Social Planning Committee of the San Salvador Mayor's Office is implementing decoration and recreation programmes along these lines. Regular programmes for the maintenance of squares, parks and recreational centres have been carried out and artistic, cultural and sports events have been organized for the benefit of all citizens. Beethoven Square has been restored and the Chapupo Rodríguez site has been reconstructed and fitted out as a sports centre. Uniforms, prizes and sports equipment have been provided to 239 sports teams.

Work has begun on the restoration of the Cámara theatre for the holding of civic, cultural and social events. The same Committee has established a youth training centre geared to preventing vagrancy and begging among minors through moral education and job training. It has also set up a savings and production cooperative with pupils in the screen printing, cosmetology, manual crafts and horticulture workshops. Dental care has been added to the initial social services.

370. The school-for-parents programme referred to the report and the nation-wide establishment of community homes for young children have already been described. They are in the process of being fully developed and consolidated.

D. Children belonging to minorities or indigenous groups (article 30)

9. "Please provide information on children belonging to minorities or indigenous groups. What affirmative action is being taken to ensure that these children are not discriminated against in the enjoyment of their rights?"

371. Although no census has been taken of the indigenous population, according to CONCULTURA 30 per cent of Salvadorians are calculated to be of indigenous descent.

372. In order to protect indigenous peoples and promote their development, support has been given to indigenous organizations. At present, there are at least six such organizations: ANIS, ASID, MAIS, ARCAS, the Catholic Indigenous Pastoral Mission, and the Indigenous Council for the Comprehensive Development of Cacaopera (CIDIC). Except for ANIS and CIDIC, they have grouped together in the Indigenous Council of El Salvador (CIES), which has been joined by ACIES, an organization promoted by the Frente Farabundo Martí para la Liberación Nacional (FMLN) party.

373. The cultural heritage is being kept alive by:

(i) The town hall of the commune of Izalco, which brings together the fraternities devoted to the patron saints of the region;

(ii) The "Peace Culture" programme, which seeks to promote the development of indigenous communities;

(iii) Cultural centres, 100 in all;

(iv) The promotion of popular festivities, the Day of the Cross, and patron saints' day festivities;

(v) Indigenous cooperatives are being supported by commercial banks, land banks, workers' cooperative banks, the farming development bank and communal banks.

374. CONCULTURA participates in international indigenous meetings and produces literature in Nahuat; it has also produced cassettes for teaching Nahuat and is conducting or supporting research on projects such as "The indigenous population of El Salvador, 1990" and "The indigenous presence in El Salvador" projects. Contributions to this work are also being made by other institutions such as the Foundation for the Protection of Cultural Property.

375. In keeping with the spirit of the Convention, an effort is being made to ensure that indigenous persons are not discriminated against; in addition to the provisions of the Constitution, other relevant legislative measures have been adopted.

376. As far as legality and juridical equality are concerned, institutional and legal arrangements have been made for the benefit of indigenous persons. Among them, mention may be made of:

(i) The Financing of Small Rural Properties Act, published in the Official Gazette, No. 43, Volume 310, of 6 March 1991;

(ii) The Savings Banks and Workers' Cooperative Banks Act, published in the Official Gazette, No.89, Volume 311, of 17 May 1991;

(iii) The Property Registry (Establishment) Act, published in the Official Gazette, No. 73, Volume 311, of 23 April 1991;

(iv) Executive Agreement No. 55 of 20 September 1991, published in the Official Gazette, No. 206, Volume 313, of 4 November 1991, establishing the National Council for Culture and Art (CONCULTURA);

(v) The Special Act for the Protection of the Cultural Heritage of El Salvador, published in Legislative Decree No. 513 of 22 April 1993.

Annex

GLOSSARY OF ACRONYMS

A glossary of the acronyms appearing in this supplement to the report is given below, in the order in which they appear in the text.

PRN	National Reconstruction Plan
PNAM	National Policy for the Care of Minors
SNF	National Secretariat for the Family
SRN	National Reconstruction Plan
ISPM	Salvadorian Institute for the Protection of Minors
MINED	Ministry of Education
EDUCO	Community Participation in Children's Education Programme
MSPAS	Ministry of Public Health and Social Welfare
PROCADES	Salvadorian advancement, Training and Development Association
'CISI	Inter-institutional Committee on Child Survival
NGO	Non-governmental organization
CISE	Inter-institutional Committee on Health and Education
ACE	Communal Education Associations
FIS	Social Investment Fund
CODENI	Inter-institutional Coordinating Body for the Defence of the Rights of the Child
SIS	Social Information System
CONARA	National Committee for Area Restoration
MIPLAN	Ministry of Planning
SABE	Project to consolidate the attainments of basic education
ISSS	Salvadorian Social Security Institute
DGLA	Directorate-General of Food Logistics
ANEP	National Association of Private Enterprise
PDH	Office of the Procurator for the Defence of Human Rights
FUNPRES	Foundation for Special Education

CEPREMIN	Centre for the Prevention and Care of Maltreated Children
FUNTER	Teletón Foundation for Rehabilitation
CPDH	Presidential Commissioner for the Defense of Human Rigi s
ISRI	Salvadorian Institute for the Rehabilitation of the Disabled
FONAVIPO	National Public Housing Fund
CONCULTURA	National Council for Culture and Art
CPAS	Centre for the Coordination of Alternative Health Programmes
PROVIDA	Salvadorian Association for Humanitarian Aid
ASDI	Salvadorian Association for Comprehensive Development
CRG	Guazapa Reconstruction Committee
FUNSAL PRODESE	Salvadorian Foundation for Social and Economic Promotion and Development
PROGRESO	Cabañas and Cuscatlán Joint Resettlement Committee
ASAI	Salvadorian Association for Comprehensive Support
FUNDASALVA	Salvadorian Anti-Drug Foundation
CIES	Indigenous Council of El Salvador
CIDIC	Indigenous Council for the Comprehensive Development of Cacaopera
FUSAL	Salvadorian Foundation for Health and Social Development
CAPS	Central American Peace Scholarship
FOMIN	Multilateral Investment Fund